

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. NO. 2920 of 2015**

1. Santosh @ Tanna Yadav, S/o Bhauram Yadav, aged about 21 years.
 2. Suraj Yadav, S/o Bhauram Yadav, aged about 18 years.
- Both R/o Shri Krishna Gaushala, Madhuban Road, Dayal Band, Thana City Kotwali, District Bilaspur (C.G.)

---Applicants**Versus**

State of Chhattisgarh through District Magistrate, Bilaspur (C.G.)

---Non-applicant

For Applicants	:	Mr. Arvind Shrivastava, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****30/06/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 117/2015, registered at Police Station City Kotwali, Distt. Bilaspur (C.G.), for the offence punishable under Sections 147, 148, 323 of I.P.C. and Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that, present applicants along with other co-accused persons assaulted victim/complainants- Sanjay Yadav and Rohit Singh by sharp edged weapon, by which, they suffered grievous injury.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the case. He would further submit that applicants have also lodged FIR against the victim. He would also submit that substantive investigation has already been

completed and no useful purpose would be served by keeping them in jail. He would lastly submit that applicants are in jail since 01/06/2015, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that sharp edged weapon i.e. Sword has been seized from the possession of applicant No.2-Suraj Yadav.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Santosh @ Tanna Yadav and Suraj Yadav, shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

