

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3630 of 2015**

Raghuvar Sahu S/o Shri Bhagat Sahu, aged about 50 years, R/o Village Pauni, Police Station Pandaria, District Kabirdham (CG)

---Applicant**Versus**

State of Chhattisgarh through the Station House Officer, Police Station- Pandaria, District Kabirdham (CG)

---Non-applicant**And****M.Cr.C.No.3753 of 2015**

1. Ramsahay Sahu S/o Shri Chhediram Sahu, aged about 38 years, R/o Village Pauni, Police Station POandaria, District Kabirdham (CG)

2. Suresh Kumar S/o Shri Chhediram Sahu, R/o Village Pauni, Police Station Pandaria, District Kabirdham (CG)

---Applicant**Versus**

State of Chhattisgarh through the Station House Officer, Police Station- Pandaria, District Kabirdham (CG)

---Non-applicant

For Applicants	:	Mr. Praveen Das, Advocate
For Non-applicant	:	Mr. O.P.Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****04/08/2015**

1. Since the aforesaid two bail applications have been filed against the same crime number i.e. Crime No.53/2015, they are being disposed of by this common order.

2. These are the first bail applications 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.53/2015, registered at Police Station-Pandaria, Distt.Kabirdham (C.G.), for the offence punishable under Sections 147, 148, 149, 294, 323, 324, 307 and 506 of the IPC.

3. Case of the prosecution, in brief, is that on 7.3.2015 the applicants (three in numbers) and eleven other accused persons entered into the house of the complainant namely Janiram and assaulted them by axe & wooden stick, by which, he suffered grievous injuries, also assaulted the other persons namely Ravi Sahu & Raju Sahu, by which, they suffered grievous injuries, which were sufficient to cause their death and, thereby committed the aforesaid offence.

4. Learned counsel for the applicants would submit that applicants have not committed any offence and have falsely been implicated in this case. Learned counsel would further submit that other eleven co-accused have been admitted to bail by this Court vide order dated 1.7.2015 in M.Cr.C.Nos.2949 and 2954 of 2015 and the case of the present applicants is similar to that of the other co-accused, therefore, they may also be released on regular bail.

5. On the other hand, learned counsel for the State would oppose the bail application.

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

7. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and also considering the fact that bail was granted to other co-accused persons, this Court is of the opinion that present is the fit case, in which, the applicants

should be enlarged on regular bail.

8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. It is directed that applicants **Raghuvar Sahu, Ramsahay Sahu and Suresh Kumar** 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.

10. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-