

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7122 of 2015

1. Sandeep @ Banti Kalate S/o Maniram Kalate Aged About 20 Years
R/o Indira Nagar, Tamnar, Police Station Tamnar, District Raigarh
Chhattisgarh.
2. Roshan @ Bhola Kalate S/o Chhabilal Kalate Aged About 20 Years
R/o Basanpali, Tamnar, Police Station Tamnar, District Raigarh
Chhattisgarh.
3. Lalit Kumar @ Sonu Sarthi S/o Late Bakalu Sarthi Aged About 21
Years R/o Indira Nagar, Police Station Tamnar, District Raigarh
Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station -
Tamnar, District - Raigarh (Chhattisgarh). --- **Respondent**

For the applicant	:	Mr. Ashish Gupta, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 153/2015 registered at P.S. Tamnar, District Raigarh (C.G) for the offence punishable under Section 341, 394 IPC.
2. Case of prosecution, in brief, is that the applicants have assaulted Panchu Yadav and Kundan Kumar who were drivers of the Trailer of the Truck and thereafter looted Rs.7000/- and a mobile from complainant Panchu Yadav and Rs.5000/- from injured Kundan Kumar.
3. Learned counsel for the applicant submits that because of rash and negligent driving of the trailer, the applicants entered into altercation which ultimately led to quarrel

between the parties, therefore, the report has been made. He further submits that the injuries sustained by the injured are simple in nature. He also submits that the charge sheet in this case has been filed and the applicants are in jail since 08.08.2015, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Having regard to the nature of injuries sustained by the injured and the degree of allegations levelled against the applicants and taking into fact that the charge sheet has already been filed and the applicants are in jail since 08.08.2015, I am inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court . They shall also appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**