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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4443 OF 2015**

1. Irfan Khokhar S/o Kamlauddin aged about 33 years R/o Sinhawa Chowk Dhamtari P.S. and Post Dhamtari Civil and Revenue District Dhamtari (C.G.)
2. Mainuddin Khilchi S/o Amaruddin Khilchi aged about 43 years R/o Sadar Bazar Dhamtari P.S. and Post Dhamtari Civil and Revenue District Dhamtari (C.G.)
3. Irfan Memon S/o Harun Memon aged about 29 years R/o Salhewarpara P.S. and Post Dhamtari Civil and Revenue District Dhamtari (C.G.)

---Applicants**Versus**

State of Chhattisgarh, Through Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.)

---Non-applicant**M.Cr.C. No. 4583 OF 2015**

1. Mohd. Alanoor @ Annu S/o Ilmuddin aged about 43 years
2. Mohd. Abbas S/o Alanoor aged about 18 years
3. Jalaluddin S/o Salim aged about 32 years (Wrongly mentioned as Jalauddin in bail rejection order)
4. Ahmed Raza @ Imran S/o Mohd. Salim aged about 30 years
5. Haji Akhtar S/o Nizamuddin aged about 40 years
All R/o Sihawa Chowk, Dhamtari, P.S. Tahsil and Civil and Revenue District Dhamtari (C.G.)
6. Tanvir Qureshi S/o Ashfaq Ahmed Qureshi aged about 29 years
7. Mohd. Mustafa Raza S/o Mohd. Ismail aged about 30 years
Both R/o Saalhewarpara, Dhamtari, P.S. Tahsil and Civil and Revenue District Dhamtari (C.G.)
8. Afzal Beg S/o Abbas Beg aged about 27 years, R/o Noorani Chowk Dhamtari P.S. Tahsil and Civil and Revenue District Dhamtari (C.G.)

---Applicants**Versus**

State of Chhattisgarh through Police Station-Dhamtari, Civil and Revenue District Dhamtari (C.G.)

---Non-applicant

And

M.Cr.C. No. 4596 OF 2015

Mohammad Saddam aged about 22 years Son of Mohammad Ekbal Caste
Musalman R/o Makai Chowk Raipur Road Dhamtari District Dhamtari (C.G.)

---Applicant

Versus

State of Chhattisgarh through Station House Officer, P.S. City Kotwali,
District Dhamtari (C.G.)

---Non-applicant

For Applicants	: Mr. Vikram Dixit, Advocate in M.Cr.C. No. 4443/2015.
For-Applicants	: Mr. Adil Mihnaj, Advocate in M.Cr.C. No. 4583/2015.
For Applicant	: None in M.Cr.C. No. 4596/2015.
For Non-applicant:	Mr. Qamarul Aziz, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

07/09/2015

1. Above mentioned three bail applications arise out of a common Crime No. 191/2015, registered at Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.), for the offence punishable under Sections 147, 294, 323, 506B, 307 of the Indian Penal Code, therefore, they are being heard analogously and decided by this common order. All the three are first bail applications filed under Section 439 of the Cr.P.C.

2. Case of the prosecution, in brief, is that, on 08/07/2015, present applicants along with other co-accused persons, total 16 in number, assaulted complainant/injured- Ranu Daga, by which, he suffered grievous injuries, which was sufficient to cause his death and thereby committed offence.

3. Learned counsel appearing for the respective applicants would submit that applicants have not committed any offence and have been falsely

implicated in the offence in question as no stone has been recovered from the possession of present applicants. They would further submit that injuries suffered by the victim/complainant is simple in nature. They would also submit that charge sheet has been filed and applicants are in jail since 08/07/2015 and 10/07/2015 respectively. They would lastly submit that applicants are ready and willing to furnish bail bonds and abide by the conditions imposed upon them and also maintain peace and tranquility, therefore, they may be released on bail.

4. Learned counsel appearing for the State would oppose the prayer for grant of regular bail.

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 and further taking into consideration the submission made by learned counsel for the parties, role played by the applicants; no custodial interrogation is required and charge sheet has already been filed, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail applications (M.Cr.C. Nos. 4443/2015, 4583/2015 and 4596/2015) filed under Section 439 of the Code of Criminal Procedure are allowed.

8. It is directed that applicants namely, Irfan Khokhar, Mainuddin Khilchi, Irfan Memon, Mohd. Alanoor @ Annu, Mohd. Abbas, Jalaluddin, Ahmed Raza @ Imran, Haji Akhtar, Tanvir Qureshi, Mohd. Mustafa Raza, Afzal Beg and Mohammad Saddam, 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

Tiwari