

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3309 of 2015**

1. Mahettar @ Goverdhan Bareth, s/o Vishram, aged about 22 years.
2. Bholu, s/o Premsingh Bareth, aged about 19 years,

Both are R/o Village Khondhar, Police Station & Tahsil –
Dabhra, District (Revenue & Civil), District Janjgir-Champa

---- Applicants**Versus**

- State Of Chhattisgarh Through police Station Dabhra, District Janjgir-Champa Chhattisgarh

---- Non-applicant

For Applicant: Shri M.A. Latif Rahman, Advocate.
For Non-Applicant/State: Shri Lov Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/07/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.110/2015 registered at Police Station – Malkharoda, District (Revenue & Civil) – Jangeer-Champa for the offences punishable under Sections 323, 326 & 458/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 29.04.2015 the applicant entered into the house of the complainant Kawal Singh and assaulted him and his wife & daughter grievously and, thereby, committed the aforesaid offences.

(3) Counsel for the applicants submits that the applicants have falsely been implicated in the offence in question; as they have not committed any offence. He further submits that the applicants are languishing in jail since 06.05.2015; and the charge sheet has already been filed and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; looking to the nature & gravity of the offence; and the manner in which the applicants entered into the house of the complainant with intention to commit theft and assaulted the complainant and his family, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)

Judge

D/-