

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5998 of 2015

1. Hafizuddin, S/o. Hamijuddin, Aged About 21 Years, R/o. Opposite Moudahapara Dargah, P.S. - Moudahapara, Civ. & Rev. Distt. Raipur, Chhattisgarh
2. Vicky Sajida, S/o. Mohan Lal Sajida, Aged About 22 Years, R/o. Near Avanti Vihar Nala, P.S. Telibandha, Civ. & Rev. Distt. Raipur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through: P.S. - Civil Lines, Civ. & Rev. Distt. Raipur, Chhattisgarh

---- Respondent

For Applicants : Mr. Devershi Thakur, Advocate

For State/Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.504/2015 registered at Police Station- Civil Lines, District Raipur (C.G.) for the offence punishable under Sections 341, 307, 34 of I.P.C.
2. Case of the prosecution is that the complainant Abhishek Pandey while was coming in his Car, due to road race, the applicants subsequently assaulted the complainant and assault was caused by way of knife to the right thigh and thereafter the report was made and the applicants were arrested.
3. Learned counsel for the applicants submits that the charge sheet in this case has been filed and the incident erupted out of petty dispute and the injury caused also cannot be said to have been

fatal as it was only 3 x 0.6 cm that too on the thigh and therefore the applicants may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact; the nature of injury and the way the incident happened; considering the fact that the applicants are students; further considering their age and taking into account their detention as they are in jail since 25.08.2015, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each 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/-
(Goutam Bhaduri)
Judge