

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 5128 OF 2015**

1. Maniram Jangde S/o Panchram Jangde Aged about 32 years
2. Krishna @ Krishn Kumar Jangde S/o Sukhdev Jangde, Aged about 18 Years,

Both are R/o Muchmalda, Thana Sarsiwa Police Station Sarsiwa, Distt. Baloda Bazar Bhatapara (C.G.)

---Applicants**Versus**

State of Chhattisgarh Through the Police Station House Officer Sarsiwa, Post Office-Sarsiwa, Distt. Baloda Bazar Bhatapara (C.G.)

---Non-applicant

For Applicants	:	Mr. Deepak Jain, Advocate
For Non-applicant	:	Mr. Arvind Dubey, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/09/2015**

1. This is the first bail application 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. 164/2015, registered at Police Station Sarsiwa, Distt. Baloda Bazar Bhatapara (C.G.), for the offence punishable under Section 307/34 of I.P.C.

2. Case of the prosecution, in brief, is that, on 24/07/2015 applicants assaulted complainants/injured Budhram and Khartikeshwar by Axe by which they suffered grievous injury which was sufficient to cause death.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in offence in question. He would further submit that injuries were simple in nature. He would further submit that no custodial interrogation is required and no useful purpose would be served by keeping them in jail. He would lastly submit that charge sheet has been filed and applicants are in jail since 26/07/2015,

therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that Axe has been recovered from the applicant No. 1 Maniram Jangde.

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; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question; nature of injuries; charge sheet has already been filed and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Maniram Jangde and Krishna @ Krishn Kumar Jangde, 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 trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE