

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5281 of 2015**

1. Tekram Jangde, S/o. Late Sukhdas Jangde, aged about 36 years,
2. Teekaram Jangde, S/o Late Sukhdas Jangde, aged about 38 years,
3. Brijkishor Jangde, S/o Sitaram Jangde, aged about 25 years,
4. Ramcharan Jangde S/o Late Sukhdas, aged about 50 years,
5. Sitaram Jangde, S/o Late Sukhdas Jangde, aged about 40 years,

All are R/o. Village-Bhejridih, Post-Bhaisa, Thana-Kharora,
Distt.Raipur (CG)

---Applicants

Versus

State of Chhattisgarh, Through–Police Station-Kharora, District-Raipur (CG)

---Non-applicant

For Applicants	:	Mr. Samir Singh, Advocate
For Non-applicant	:	Mr. S.R.J.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**

05/10/2015

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.175/2015, registered at Police Station-Kharora, District-Raipur (C.G.), for the offence punishable under Sections 294, 323, 307, 147, 148 and 149 of the IPC.

2. Case of the prosecution, in brief, is that the present applicants along with other two co-accused persons assaulted injured Pannalal by wooden sticks, axe and rod on 1.7.2015, by which he suffered grievous injuries, which were sufficient to cause his death.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have been falsely implicated in the case. He further submits that sticks have been recovered from the possession of the present

applicants and injuries are simple in nature, they are in custody since 1.7.2015 and 21.8.2015 respectively and charge-sheet has already been filed and therefore, they may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicants have assaulted by wooden sticks, co-accused Vir Singh has been assaulted by rod and co-accused Balvir Singh has been assaulted by axe. He would further submit that rod has been recovered from Vir Singh and axe has been recovered from Balvir Singh, whereas wooden sticks have been recovered from the possession of the present applicants.

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; recovery of sticks, their pre-trial detention, the fact that charge-sheet has already been filed and the fact that rod & axe have been seized from co-accused persons, I am of the view that it is a fit case to enlarge the applicants on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants 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

B/-