

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1583 of 2016

Jasvinder Singh @ Lodo S/o Late Satnam Aged About 25 Years R/o Ward No. 19, Subhash Chowk, Ambedkar Nagar, Dalli Rajhara, Police Station Rajhara, District Balod Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police Station Rajahara (Dalli Rajhara), District Balod Chhattisgarh

---- Respondent

And

MCRC No. 1366 of 2016

Nassu Pathan @ Naseeruddin S/o Sheikh Nijamuddin Aged About 28 Years R/o Ward No. 19, Subhash Chowk, Rajhara, Dalli Rajhara, District Balod Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Rajahara (Dalli Rajhara), District Balod Chhattisgarh.

---- Respondent

For applicants - Shri T.K. Jha, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/04/2016

1. Both these second bail applications under Section 439 of Cr.P.C. are decided by this common order as they are arising out of the same crime number. Both the earlier bail applications were dismissed on 16/12/2015.
2. The applicants have preferred these applications for grant of bail as they are arrested in connection with Crime No. 51/2015 registered in Police Station Rajhara, (Dalli Rajhara), District Balod (C.G.) for offence punishable under sections 294, 506-B, 323, 307 and Section 354/34 of

IPC.

3. As per the prosecution case the applicants jointly assaulted one Vishal when a dispute took place in between the applicants and the complainant.

4. Learned counsel for the applicants submits that in this case Vishal Motvani the injured has been examined on 18/01/2016 and he has not supported the case of prosecution. He relied on the certified copy of the statement and would submit that in such case star witness himself has not supported the case of the prosecution. He further submits that parties have entered into compromise and therefore there is no purpose would be served to keep the applicants in jail, therefore the applicants may be released on bail.

5. Learned State counsel do not dispute the fact that injured Vishal Motvani has not supported the case of the prosecution.

6. I have perused the statement of Vishal Motvani. Considering the statement of Vishal Motvani, this court is inclined to release the applicants on bail.

7. Accordingly, both the second bail applications are allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE