

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4025 of 2016

1. Shailendra Murti, S/o. Shyam Murti, Aged About 21 Years.
2. Ankap Naidu, S/o. D. Bal Chennya, Aged About 30 Years.
3. Sunil Tandon, S/o. Mangu Ram Tandon, Aged About 26 Years.
4. Bharat Lal Tiwari, S/o. O.P. Tiwari, Aged About 28 Years.
5. Satyandra Tiwari @ Baulla Tiwari, S/o. Ram Yad Tiwari, Aged About 30 Years.
6. Pushpendra Daholia, S/o. Dinesh Daholia, Aged About 28 Years.

All are R/o. BALCO Nagar, Tahsil & Distt. Korba, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Balco Nagar, Korba, Chhattisgarh.

---- Respondent

&

MCRC No. 4165 of 2016

Yugal Kishore Tiwari, S/o. Chunni Lal Tiwari, Aged About 29 Years,
R/o. Balco Nagar, Korba, Tahsil & District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police Station Balco Nagar, Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicants : Mr. Jitendra Shrivastava with Mr. Sanjay Patel,
Advocates

For Respondent : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.08.2016

1. These are 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.172/2016 registered at Police Station BALCO Nagar, Korba (C.G.) for the offence punishable under Sections 147, 148, 149, 294, 323, 506, 452 & 427 of Indian Penal Code.

2. Case of the prosecution, in brief, is that on 18.06.2016 a report was made by Jitendra Kumar Sharma that the applicants on the basis of previous dispute entered into the room and assaulted the complainant and the other inmates of the security office and also damaged the table & chairs.
3. Learned counsel for the applicants would submit that over a dispute both the parties have entered into the scuffle and the complainant also had assaulted the applicant on a trivial issue. He further submits that the charge sheet has been filed and the applicants are in jail since 21.06.2016, therefore, they may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement of the complainant. Considering the facts and circumstances of the case, nature of allegation and the fact that the charge sheet has been filed and the applicants are in jail since 21.06.2016, I am inclined to release the applicants on bail.
6. Accordingly, both the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the 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.

Sd/-
(Goutam Bhaduri)
Judge