

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3509 of 2016

- Omprakash Gupta S/o Dadan Prasad Gupta, Aged About 22 Years
R/o Village Deogai & Ramanujganj Police Station Ramanujganj, Distt
- Balrampur, Civil And Revenue District Balrampur (Chhattisgarh).
--- **Petitioner**

Versus

- State of Chhattisgarh Through - Police Chowki Vijay Nagar, Police
Station Ramanujganj, District Balrampur (CG). --- **Respondent**

MCRC No. 3686 of 2016

- Narad Gupta S/o Baldeo Gupta Aged About 21 Years Occupation
Agriculturist, R/o Village Devi Ganj, Police Station Ramanujganj,
Tahsil & District Balrampur, Civil & Revenue District Balrampur,
Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Police Chowki Vijay Nagar, Police
Station Ramanujganj, District Balrampur, Chhattisgarh.
---- **Respondent**

For the applicant	:	Mr.Ashok Patil, Advocate
For the Respondent	:	Mr.Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.07.2016

1. These are two bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 173 of 2015 registered at P.S. Ramanujganj, Distt. Balrampur (C.G) for the offence punishable under Sections 186, 353, 332, 323, 324, 506-B read with section 34 IPC.
2. Since both these applications are arising out of the same crime number, they are being decided by this common order.
3. As per the prosecution case, on 08.11.2015 both the accused

applicants were coming on their motorcycle in forest. At that time, they were stopped by complainant party as the applicants were carrying with a wooden log. On being intercepted, one of the accused Omprakash Gupta attacked the complainant with a knife.

4. Learned counsel for the applicants would submit that the complainants were 5 in number and it would be improbable to believe that they would be attacked by these two applicants. It is further submitted that all the injuries are simple in nature and the charge sheet has been filed and the applicants are in jail since 22.02.2016, therefore, they may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail.
6. Perused the case diary documents and the medical report wherein the injuries are stated to be simple in nature.
7. Taking into totality of the facts and circumstances of the case and the degree of allegations levelled against the applicant and considering the medical report where the injuries are stated to be simple in nature as also the fact that the charge sheet in this case has been filed and further looking to the period of detention as the applicants are stated to be in jail since 22.2.2016, I am inclined to release them on bail.
8. Accordingly, the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE