

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4749 of 2016

1. Rajesh Bagh @ Raju, aged 26 years, S/o. Shri Mohan Bagh, R/o. Near Meera Nagar Bottle House, P.S. : Civil Lines, Raipur (C.G.).
2. Harish @ Durgesh, aged 20 years, S/o. Shri Kanshram Pal, R/o. Maulipara, P.S. - Telibandha, District Raipur (C.G.) Mo.9303997614.

----Applicants

Versus

1. State of Chhattisgarh, Through : the Police Station – Telibandha, Raipur(C.G.)

---- Respondent

For Applicants	: Mr. N. Naha Roy, Advocate
For Respondent/State	: Ms. Shobha Kashyap, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/08/2016

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.120/2016, registered at Police Station – Telibandha, Raipur, District- Raipur (C.G.) for the offence punishable under Section 307, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 25.04.2016 the victim Vijay was going to answer the call of nature at that time, he met with Ravi Sagar and present applicants with whom altercation took place and thereafter, Ravi Sagar assaulted the victim by way of knife. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the entire allegation is attributed to Ravi Sagar and false allegations have been attributed against the applicants that the applicants were holding the hands of the victim. It is further submitted that charge-sheet in this case has been filed and no further investigation is necessary and taking into the role played by the applicants, they may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents as also the statement of the victim. Taking into such statement and the allegations attributed to the applicants, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge