

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7662 of 2015

Suresh Manhar S/o Shri Mohanlal Manhar Aged About 27 Years Caste - Satnami, R/o Siltara, Police Station Dharsiwa, Tehsil - Raipur, Civil And Rev. Distt. Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Dharsiwa, Civil And Rev. Distt. Raipur Chhattisgarh.

---- Respondent

And

MCRC No. 7668 of 2015

Naresh Das Tandan S/o Late Namdas Tandan Aged About 42 Years Caste - Satnami, R/o Siltara, Police Station - Dharsiwa, Tehsil - Raipur, Civil & Revenue District Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Dharsiwa, Civil & Revenue District - Raipur Chhattisgarh

---- Respondent

For applicants - Shri M.K. Bhaduri, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/01/2016

1. Both these bail applications are decided by this common order as they are arising out of the same crime number.
2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 157/2014 registered in Police Station Dharsiwa District Raipur (C.G.) for offence punishable under section 294, 323, 427, 436, 147, 148, 149 & 326 of IPC.
3. As per the prosecution case the applicants gathered along with other co-accused armed with weapons and assaulted Sanjay Kumar Upadhyay and Sunil Singh and in said assault Sunil Singh sustained

fracture injury on the right shoulder and left leg.

4. Learned counsel for the applicants submits that the other party, the complainant and their associates were the aggressor who assaulted applicants and Arun Mairisha and Gundev. It is further submitted that FIR was made which was registered as Crime No.156/2014 by one of the accused in instant crime number prior to lodging of FIR of the instant crime. He further submits that similarly placed co-accused have been enlarged on anticipatory bail by coordinate bench of this court in M.Cr.C. (A) No.813/2014 on 6th April, 2015, charge sheet in this case has been filed and therefore the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail, however do not dispute the fact that similarly placed co-accused have been enlarged on anticipatory bail by coordinate bench of this court in M.Cr.C. (A) No.813/2014 on 6th April, 2015.

6. I have perused the case diary and charge sheet. Taking into account that similarly placed co-accused have been enlarged on anticipatory bail by coordinate bench of this court in M.Cr.C. (A) No.813/2014 on 6th April, 2015, this court is inclined to release the applicants on bail.

7. Accordingly, the 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 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

