

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1275 of 2016

Shyamlal, S/o Late Jaggu Ram, Caste Gond, aged about 62 years, R/o Village Sunderpur, Tehsil Sonhat, Police Station Sonhat, District Koriya, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Sonhat, District Koriya, Chhattisgarh.

---- Non-applicant

ANDMisc. Criminal Case No.1476 of 2016

Dinesh Singh, S/o Devsingh, aged about 25 years, R/o Village Sundarpur, Police Station and Tahsil Sonhat, Civil and Revenue District Korea (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police of Police Station Sonhat, District Korea (C.G.)

---- Non-applicant

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For Applicant in M.Cr.C.No.1275/2016: -

Mr. Ranbir Singh Marhas, Advocate.

For Applicant in M.Cr.C.No.1476/2016: -

Mr. Anil Gulati, Advocate.

For Non-applicant:

Mr. Aditya Sharma, Panel Lawyer.

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Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/03/2016

1. Since both the applications are arising out of the same crime number, they are being disposed of by this common order.
2. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime

No.134/2015, registered at Police Station Sonhat, Distt. Koriya, for the offence punishable under Sections 307, 147, 148, 294, 506 and 323 read with Section 149 of the IPC.

3. Case of the prosecution, in brief, is that on 23-11-2015, the applicants along with four co-accused persons assaulted victim Ramchandra by knife and by which he suffered grievous injuries which were sufficient to cause death, and thereby committed the offence.
4. Learned counsel for the applicants submit that the applicants have not committed any offence and they have been falsely implicated in the case. In fact, Pankaj – co-accused, who is said to be juvenile, has made assault by knife. The applicants are in custody for fairly long time and charge-sheet has been filed. Injuries are although grievous in nature, but have not been made by the present applicants.
5. On the other hand, learned State counsel opposes the bail applications.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicants, nature of injuries, defence of the applicants and their pretrial detention, I am of the opinion that the applicants should be enlarged on regular bail. Accordingly, the applications are allowed.
8. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each

with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-  
(Sanjay K. Agrawal)  
Judge

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