

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 368 of 2016**

1. Banshilal Jangde, S/o Sri Ratiram Jangde, aged about 29 years,
2. Raghuvir Singh Jangde, S/o Rajesh, aged about 20 years,
3. Pradip Jangde, S/o Rajesh, aged about 18 years,
4. Than Singh Koirala, S/o Rohit, aged about 30 years,
5. Vidya Sagar Joshi, S/o Naresh Joshi, aged about 20 years,
6. Dhaniram Jangde, S/o Late Chhannuram Jangde, aged about 42 years,

All R/o village Relinsatti, Police Station Arjuni, Tahsil & District Dhamtari (C.G.)

---- Applicants

Versus

State Of Chhattisgarh Through: Station House Officer,
Police Station : Arjuni, District: Dhamtari (C.G.)s

---- Non-applicant

For Applicant:	Shri Y.C. Sharma, Advocate
For Respondent/State:	Shri Om. P. Sahu, Deputy Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****01/02/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 328/2015 registered at Police Station –Arjuni, District Dhamtari for the offence punishable under Sections 147, 148, 294 & 307 of the Indian Penal

Code.

(2) Case of the prosecution, in brief, is that on 19.12.2015 at about 11.30 pm applicants caused grievous injuries to victims namely Soudagar Markam & Balbeer Dhruw, by which they suffered grievous injuries, which were sufficient to cause their death and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicants have been falsely implicated in the offence in question as they have not committed any offence, in fact victims have interfered with the Orchestra Programme organized by the applicants on the eve of Guru Ghasidas Jayant and, therefore, some dispute arose between the parties. He further submits that the applicants are languishing in jail since 20.12.2015; charge sheet has already been filed; nature of injuries suffered by the victim Balbeer Dhruw are simple; and no useful purpose would be served in detaining them in jail and, therefore, the applicants may be released on bail.

(4) On the other hand, learned counsel for the State submits that one of the victims namely Balbeer Dhruw remained in hospital for 9 days and the assault was made on his head and, therefore, the applicants are not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; nature of injuries suffered by the victims; further considering their pre-trial detention; charge sheet has already been filed; and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-