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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1662 of 2016**

1. Hemant Dhritlahre, S/o Chaitram, aged about 26 years, R/o Village Tontar, Police Station Bhatapara, (Gramin), District Baloda Bazar-Bhatapara (C.G.)
2. Rajendra Kumar Verma, S/o Gaidram, aged about 26 years, R/o Village – Arjuni, Police Station Bhatapara (Gramin), District Baloda Bazar- Bhatapara (C.G.)

---- Applicants**Versus**

The State Of Chhattisgarh, Through Station House Officer,
Police Station – Bhatapara (Gramin), District Baloda
Bazaar-Bhatapara (C.G.)

---- Non-applicant

For Applicants: Mr. A.P. Sharma, Advocate.
For Non-applicant/State: Mr. Vivek Singhal, Panel Lawyer
For Objector : Mr. Akhilesh Kumar, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****21/04/2016**

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. 232/2015 registered at Police Station Bhatapara (Gramin), Distt. BalodaBazar-Bhatapara for the offence punishable under Sections 294, 323, 307, 279, 338, 325, 506 & 427 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 29.02.2015 present applicants caused grievous injuries to victim Anil Vaishnav by their JCB vehicle, which is driven by their driver, as

a result of which he suffered grievous which were sufficient to cause his death.

(3) Counsel for the applicant submits that the applicants have been falsely implicated in the offence in question as there is professional rivalry between them and the complainant in which they have been implicated in the offence and they are in jail since 28.12.2015 and 29.01.2016, respectively and the charge-sheet has already been filed, and therefore the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the nature and gravity of the offence, facts and circumstances of the case; nature of dispute between the parties, further considering their pretrial detention and the fact that charge-sheet has already been filed, 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. However, the State counsel is at liberty to file application for cancellation of bail if occasion so arises.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

