

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.967 of 2016**

Sudhir Keshari, S/o Suryakant Keshari, aged about 21 years, R/o Dayalband, Police Station City Kotwali, Bilaspur, Tahsil & District Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station City Kotwali, Bilaspur, District Bilaspur, Chhattisgarh

---- Non-applicant

MCRC No.1001 of 2016

Gourav Bole, S/o Pawan Bole, aged about 23 years, R/o Dayalband, Tikrapara Mannu Chowk, Teh. & Distt. Bilaspur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, City Kotwali, Bilaspur, Chhattisgarh

---- Non-applicant

MCRC No.1021 of 2016

1. Rameshwar Gorakh @ Sonu (As per Challan and order impugned) Rameshwar Bolar @ Sonu (As Actual), S/o Nandkishore, aged about 25 years, R/o Tikrapara, Mannu Chowk, P.S. City Kotwali, Rev. and Civil Distt. Bilaspur, Chhattisgarh.
2. Ravi Bole, S/o Harish Chandra, R/o Near Shiv Mandir, Dayalband, P.S. City Kotwali, Rev. and Civil Distt. Bilaspur, Chhattisgarh.

---- Applicants

Versus

State of Chhattisgarh, Through the Police Station Kotwali, District Bilaspur, Chhattisgarh.

---- Non-applicant

MCRC No.1029 of 2016

Lav Bole, S/o Madan Bole, aged about 22 years, R/o Tikrapara, Mannu Chowk, Police Station City Kotwali, Civil & Revenue District Bilaspur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station City Kotwali,
District Bilaspur, Chhattisgarh

---- Non-applicant

And

MCRC No.1088 of 2016

Rohan Kumar Gorakh, S/o Shri Rajkumar Gorakh, aged about 18 years, R/o Village
Devrikhurd Chouk, Police Station Torwa, Tahsil Bilaspur, Civil & Revenue District
Bilaspur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through Police Station City Kotwali, District Bilaspur,
Chhattisgarh

---- Non-applicant

For Applicant in M.Cr.C.No.967/2016: -

Mr. M.P.S. Bhatia and Mr. T.K. Jha, Advocates.

For Applicant in M.Cr.C.No.1001/2016: -

Mr. Ajay Ayachi, Advocate.

For Applicants in M.Cr.C.No.1021/2016: -

Mr. P.K. Tulsyan, Advocate.

For Applicant in M.Cr.C.No.1029/2016: -

Mr. Dharmesh Shrivastava, Advocate.

For Applicant in M.Cr.C.No.1088/2016: -

Mr. C.K. Kesharwani, Advocate.

For Non-applicant:

Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/03/2016

1. Since all the above 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.341/2015, registered at Police Station City Kotwali, Bilaspur, Distt. Bilaspur, for the offence punishable

under Sections 147, 148, 307 read with Section 149 of the IPC, 25 and 27 of the Arms Act.

3. Case of the prosecution, in brief, is that the applicants and other co-accused persons constituted unlawful assembly and one co-accused Chiku made gun shot injury to injured / victim Satyajit Sonkar by country made gun by which he suffered grievous injuries which were sufficient to cause death.
4. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have been falsely implicated in the case, gun shot injury was made by one Chiku and the applicants have been implicated only on the basis that they were present on the spot, rather they have provided medical assistance to injured Satyajit Sonkar and they have tried to save the life of the victim. The applicants are in custody from fairly long time. Charge-sheet has already been filed and no useful purpose will be served by keeping the applicants in jail. Co-accused Amit Singh has already been released on bail by this Court by order dated 1-2-2016 passed in M.Cr.C.No.7371/2015.
5. On the other hand, learned State counsel would oppose the applications and would submit that the applicants were members of unlawful assembly.
6. I have heard learned counsel for the parties and gone through the case diary.
7. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, nature of injury, the fact that injury was said to have been made by Chiku – other co-accused, role of the present applicants, charge-sheet has already been filed, the applicants are in jail for fairly long time, no further interrogation of the applicants is required and co-accused Amit Singh has already been granted regular bail, I am of the view that it is a fit case to grant regular bail to the applicants. 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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