

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2421 of 2016

1. Shashank Trivedi S/o Sushil Trivedi Aged About 29 Years R/o Geetanjali Park, Mangla, Near Maharshi Shcool, Police Station - Civil Line, District - Bilaspur Chhattisgarh
 2. Dilip Banjare S/o Krishna Banjare Aged About 26 Years R/o Mini Basti, Jarhabhatha, Police Station - Civil Line, Tahsil & District - Bilaspur Chhattisgarh.
 3. Deepak Banjare S/o Krishna Banjare Aged About 23 Years R/o Mini Basti, Jarhabhatha, Police Station - Civil Line, Tahsil & District - Bilaspur Chhattisgarh.
- Petitioners**

Versus

State of Chhattisgarh Through : Station House Officer, Police Station - Civil Line, Bilaspur, District - Bilaspur Chhattisgarh

--- Respondent

For the applicant	:	Mr. Devesh Chandra Verma, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer
For the Objector	:	Mr. Hemant Gupta, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 151 of 2016 registered at P.S. Civil Lines, Bilaspur, Distt. Bilaspur (C.G) for the offence punishable under Sections 307, 294, 323/34 of IPC.
2. As per the prosecution case, on 01.03.2016, the applicants on a dispute with complainant Vishal Masih has assaulted him with some sharp edged weapon whereby the complainant sustained 4 injuries i.e., one incised wound and 3 lacerated wounds, thereby the offence is committed.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case, therefore, compromise has been effected between the parties which would be evident from "No Objection" filed by the complainant, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and would submit that as many as 5 cases under different sections of IPC stand registered against applicant Dilip Banjare which are pending, therefore, considering the same, applicant Dilip Banjare may not be released on bail.
5. Perused the case diary statements as also "No Objection" filed by the complainant. The case diary shows that against applicant Dilip Banjare, as many as 5 cases stand registered against him under different section of IPC, therefore, I am not inclined to enlarge him on bail. Accordingly the bail application of Dilip Banjare is rejected.
6. However, with respect to other applicants Shashank Trivedi and Deepak Banjare no criminal antecedents have been reported against them. Considering the fact that "No Objection" has been preferred by the complainant Vishal Masih for grant of bail to the applicants and since no criminal antecedents of applicants 1 & 3 have been reported by the learned State Counsel, I am inclined to release these applicants on bail.
7. Accordingly, the bail application of applicant No.1 Shashank Trivedi and applicant No.3 Deepak Banjare is allowed and they are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**