

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2735 of 2016

1. Rajesh Dhruw, S/o. Dukhu Ram Dhruw, aged about 37 years,
2. Bhola Nath Dhruw, S/o. Dukhu Ram Dhruw, aged about 36 years,

Both are R/o. Village- Tandwa (Baikunth) P.S. Newra Tilda, Tahsil – Tilda, District – Raipur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : S.H.O. - Police Station Newra Tilda, Civil and Revenue District- Raipur (C.G.)

---- Respondent

For Applicants	:	Mr. Vikram Singh, Advocate
For Respondent/State	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.104/2016, registered at Police Station – Newra Tilda, District – Raipur (C.G.) for the offence punishable under Section 294, 323, 324, 506 (B), 34 & 452 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the complainant used to pass comments to the wife of the accused, which was the reason of the dispute and on 10.04.2016, the applicants assaulted the complainant,

Mahesh Kumar Verma by way of knife.

3. Learned counsel for the applicants submits that the complainant used to pass comments to the wife of the applicant No.1, which was the reason of dispute and the applicants did not went to the house of the complainant but complainant was passing comments in front of their house of the applicants, whereby a dispute arose. He further submits that charge-sheet in this case has been filed and no further investigation is required. He further submits that no grievous injury has been caused, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case, the nature of injuries and the background of the case for which it happened, further considering the fact that the applicants are in jail since 12.04.2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge