

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2776 of 2016

1. Sobhit, S/O Sadhwa Kurre Aged About 65 Years By Caste Satnami, R/O Village Darrabhatha, Police Station Janjgir, District Janjgir Champa, Chhattisgarh.
2. Goutam Bai @ Pounihin W/O Purushottam Aged About 42 Years By Caste Satnami, R/O Village Darrabhatha, Police Station Janjgir, District Janjgir Champa, Chhattisgarh.
3. Purushottam Kurre S/O Sobhit Ram Kurre Aged About 46 Years By Caste Satnami, R/O Village Darrabhatha, Police Station Janjgir, District Janjgir Champa, Chhattisgarh.
4. Amarnath @ Bittu S/O Purushottam Kurre Aged About 22 Years By Caste Satnami, R/O Village Darrabhatha, Police Station Janjgir, District Janjgir Champa, Chhattisgarh.
5. Arun Kumar Kurre S/O Purshottam Aged About 27 Years By Caste Satnami, R/O Village Darrabhatha, Police Station Janjgir, District Janjgir Champa, Chhattisgarh.
6. Pawan Kumar @ Pappu Kurre S/O Purshottam Aged About 23 Years By Caste Satnami, R/O Village Darrabhatha, Police Station Janjgir, District Janjgir Champa, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station Janjgir, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Gurudev I. Sharan, Advocate
For Respondent/ State	:-	Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

13/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants

who have been arrested in connection with Crime No. 121/2016 registered at Police Station- Janjgir District Janjgir Champa (C.G.) for the offence punishable under Section 147, 148, 294, 506B, 149, 323,307 of Indian Penal Code.

2. As per the prosecution case, the complainants who are the family members interred into dispute and altercation in between each other over the dispute of share of land and both the parties assaulted each other. The complainant Kumar Sai, Vijay Kurre and Savitri Bai had sustained injuries and the injured Vijay Kurre had sustained fracture on skull. Thereby the offence has been committed.
3. Counsel for the applicants submits that the applicants and the complainants both are related to each other and are family members and the dispute arose due to share of land. He further submits that there was no intention to kill to each other and the charge-sheet in this case has been filed. He further submits that the applicants are in jail since 01.04.2016, therefore, they may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and the case diary and the statement of the injured and taking into the fact that the charge-sheet has been filed and the applicants are in jail since 01.04.2016, this Court is of the opinion, that the present is a fit case, in which, the applicants should be enlarged on regular bail.

6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge

Santosh