

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3166 of 2016

1. Surya @ Suryakant Manhar, S/o. Sada Ram Manhar, aged about 31 years,
2. Anil Saytode, S/o. Shri Jageshwar Prasad Saytode, aged about 35 years

Both R/o. Village-Shiltara, Police Station – Dharsiwa, Tahsil and District – Raipur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : S.H.O., Police Station – Dharsiwa, District – Raipur (Chhattisgarh)

---- Respondent

For Applicants	: Mr. C.R. Sahu, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/06/2016

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.157/2014, registered at Police Station – Dharsiwa, District – Raipur (C.G.) for the offence punishable under Section 147, 148, 149, 294, 323, 326, 427, 436 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicants along with other co-accused entered into a dispute in the liquor shop thereafter assaulted the inmates of the shop and caused injury to the complainant and thereby he sustained fracture on parietal bone. Thereby the offence has been committed.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and in their absence, the charge-sheet has been filed. He further submits that other co-accused persons have already been enlarged on bail and the applicants are in jail since 04.05.2016, therefore, the counsel prays that the applicant may also 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. Perused the case diary and the statements. Initially the applicants were absconding subsequently they were arrested on 04.05.2016. Considering the nature and degree of offence and the allegation levelled against this applicant and further considering the facts and circumstances of this case, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular 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