

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4134 of 2016**

1. Safar Khan S/o Umar Khan Aged About 34 Years R/o Village Budhwara Bodla, Police Station Bodla, District Kabirdham Chhattisgarh.
  2. Wasim Khan S/o Mohammed Salim Aged About 22 Years R/o Village Budhwara Bodla, Police Station Bodla, District Kabirdham Chhattisgarh.
  3. Gunda @ Amir Khan S/o Shakil Khan Aged About 21 Years R/ Village Budhwara Bodla, Police Station Bodla, District Kabirdham Chhattisgarh.
- Applicants**

**Versus**

- State of Chhattisgarh through the Police Station Bodla, District Kabirdham Chhattisgarh.
- Respondent**

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| For the applicant  | : | Mr. Rakesh Pandey, Advocate      |
| For the Respondent | : | Miss K. Tripti Rao, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**27.07.2016**

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. 90 of 2016 registered at P.S. Bodla, Distt. Kabirdham (C.G) for the offence punishable under Sections 456, 294, 323/34 IPC.
2. As per the prosecution case, in the night of 25.06.2016 while the complainant Sabir Khan, his wife and son were in their house the accused applicants forcibly entered into their house and thereafter on some allegations abused them and assaulted the complainant, thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and some altercation took place over an old dispute for which false allegations

have been leveled against them. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents.
6. Considering the fact that the offence is triable by the JMFC; the charge sheet has been filed and no further investigation is necessary and further considering that the applicants are stated to be in jail since 26.6.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicants 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**