

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5432 of 2016

1. Dharmendra Yadav, S/o Shri Jhumuk Yadav, Aged About 25 Years,
2. Harendra Yadav, S/o Gorelal Yadav, Aged About 22 Years,
3. Gorelal, S/o Shri Awadhram Yadav, Aged About 55 Years,
4. Jhumukh @ Khakhalu Yadav, S/o Awadhram Yadav, Aged About 50 Years,

Applicant No.1 and 2 are R/o Village Devri (Karhi) Thana City Kotwali, District Mungeli, Chhattisgarh.

Applicant No.3 and 4 are R/o Village Karhi (Devri), Thana & Tahsil Mungeli, District Mungeli, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer Of Police Station City Kotwali, District Mungeli, Chhattisgarh.

---- Respondent

For applicants - Shri Vinay Pandey, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.
For objector – Shri H.S. Ahluwalia, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/11/2016

1. Both the bail applications i.e. present bail application bearing M.Cr.C. No. 5432/2016 and another bail application placed at Sr. No.6 bearing M.Cr.C. No.6043/2016 are heard together since both the bail applications arises out of the report and counter report.
2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.125/2016 registered in Police Station City Kotwali, District Mungeli (C.G.) for offence punishable under sections 147, 148, 294, 323, 325, 506-B and 307 of Indian Penal Code.
3. As per the prosecution case, on 3/03/2016 quarrel took place between complainant Basant Yadav and the applicants over previous dispute wherein the applicants had attacked Basant Yadav, Goverdhan,

Baldau and Gunja and Basant Yadav sustained injury of lacerated wound on his forearm and they tried to kill the complainant. Thereby, offence is committed.

4. Learned counsel for the applicants submits that the dispute arose out of simple dispute between two neighbours and the applicants and the complainant they have entered into settlement as the nature of injury is simple, therefore the applicants may be released on bail.

5. Shri H.S. Ahluwalia, counsel who is appearing on behalf of the complainant in M.Cr.C. No.6043/2016 also do not dispute the fact that both the parties have entered into settlement and nature of injury was not greivous.

6. Learned State counsel opposes the prayer for grant of bail.

7. Considering the facts and circumstances of the case and the submission made by Shri H.S. Ahluwalia, counsel for the complainant that both the parties have entered into settlement, without any observation on merit considering the development took place and the fact that no further custodial interrogation may be required, this court is inclined to release the applicants on bail.

8. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE