

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6944 of 2016

1. Ashok Yadav S/o Ganesh Yadav, Aged About 26 Years R/o Village Chandali, Police Station Lalpur, District Mungeli Chhattisgarh
2. Ganesh Yadav, S/o Kejuram Yadav, Aged About 26 Years R/o Village Chandali, Police Station Lalpur, District Mungeli Chhattisgarh
3. Dauat Yadav, S/o Ganesh Yadav, Aged About 22 Years R/o Village Chandali, Police Station Lalpur, District Mungeli Chhattisgarh
4. Sunil Yadav S/o Ganesh Yadav, Aged About 21 Years R/o Village Chandali, Police Station Lalpur, District Mungeli Chhattisgarh

---- **Petitioners**

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Lalpur, District - Mungeli Chhattisgarh

---- **Respondent**

For Applicants : Mr. Suresh Kumar Verma, Advocate

For Respondent/State : Mr.U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07-11-2016

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 on 3-7-2016 in connection with Crime No. 119 of 2016, registered at Police Station Lalpur, District Mungeli (CG) for the offence punishable under Sections 147, 149 & 307/34 of the IPC.
2. Case of the prosecution, in brief, is that a report was made by the complainant Ram Kumar Sahu that the applicants have assaulted him by way of club as a result of which he sustained two lacerated wounds; one is on right parietal region and second is on the neck and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case and in fact the

complainant has caused damage to the Tractor of the applicants which was reason for the incident and complainant also used to ask money from them and same was objected by them. Subsequently, the complainant and the applicants landed into dispute. He would further submit that the injuries sustained by the complainant are simple in nature, charge-sheet has been filed, the applicants are in jail since 3-7-2016 and no further investigation is necessary, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the statement of injured Ram Kumar Sahu and medial report which would show that the injuries sustained by the complainant are not fatal.
7. Taking into consideration the facts and circumstances of the case, considering the nature of injuries which are not fatal and also the fact that charge-sheet in this case has been filed and the applicants are in jail since 3-7-2016, this court is inclined to release the applicants on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju