

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6128 of 2017

1. Niraj Tiwari S/o Shivam Tiwari, Aged About 23 Years R/o Ramayan Chowk, Chantidih, Police Station Sarkanda, Civil & Revenue District Bilaspur Chhattisgarh.
 2. Vikas Singh, S/o J. K. Singh, Aged About 25 Years R/o Ekta Colony, Sarkanda, Police Station Sarkanda, Civil & Revenue District Bilaspur Chhattisgarh.
- Applicants**

Versus

State Of Chhattisgarh Through The Station House Officer Police Station Tarbahar, District Bilaspur Chhattisgarh.

---- Respondent

And

MCRC No. 6397 of 2017

Javed Alam S/o Sarfaraj Alam, Aged About 22 Years R/o Masanganj, Police Station Civil Lines, Civil & Revenue District Bilaspur Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Tarbahar District Bilaspur Chhattisgarh.

---Respondent

For Applicant	:	None appears even in the second round
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/11/2017

Heard.

1. Both the bail applications are heard together and decided by this common order, as they are arising out of same crime number.
2. The applicants in M.Cr.C. No.6128 of 2017 have been arrested in connection with Crime No.227 of 2017 registered at Police Station- Tarbahar, District Bilaspur (C.G.) for the alleged commission of offence under Section 384, 294, 506-B, 324/34 of IPC.

3. The applicant in M.Cr.C. No.6397 of 2017 has been arrested in connection with Crime No.227 of 2017 registered at Police Station- Tarbahar, District Bilaspur (C.G.) for the alleged commission of offence under Section 384, 294, 506-B, 324/34 of IPC & 25 & 27 of the Arms Act.
4. Case of the prosecution is that the applicants demanded money from the complainant and when the complainant refused then one of the accused assaulted him with the help of knife which resulted in simple injury in the finger of the complainant.
5. A perusal of the case diary shows that Javed Alam assaulted with the help of knife and the simple injury is received in the palm and middle finger.
6. On the other hand, learned State counsel opposes the prayer and submits that it is also disclosed from the diary that against Neeraj Tiwari, there are as many as three criminal cases registered against him and it is said to be habitual offender.
7. Taking into consideration the nature of injury, that the investigation is complete, charge-sheet has been filed and the applicants are in jail on 04.08.2017, the bail applications of **Javed Alam, S/o Sarfaraj and Vikas Singh, S/o J.K. Singh** are allowed.
8. It is directed that the applicants—**Javed Alam and Vikash Singh** shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

9. Bail application moved by **Niraj Tiwari** is rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge