

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 2835 OF 2017

1. Andeep Kumar Jangde @ Bhurva, S/o Shri Shankar Jangde, aged about 26 years
 2. Kandeep Kumar Jangde @ Goldas, S/o Shri Shankar Jangde, aged about 24 years
- Both R/o Village Lachanpur, Chowki- Fastarpur, Police Station- City Kotwali, District Mungeli (C.G.)

... Applicants

Versus

State of Chhattisgarh, through Police Station- City Kotwali, District Mungeli (C.G.)

... Non-applicant

For Applicants	:	Mr. V.K. Tondey, Advocate.
For Non-applicant/State	:	Mr. Sanjeev Pandey, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order on Board

24/05/2017

1. This is the First Bail Application under Section 439 of Cr.P.C filed by the applicants for grant of bail as they are arrested in connection with Crime No. 45 of 2015, registered at Police Station – City Kotwali, District Mungeli, for the offence punishable under Sections 147, 148, 149, 302, 307, 294 of I.P.C.
2. As per the prosecution case, in the night of 2.2.2015 at about 9 O'clock, some quarrel took place between the complainant Santosh Jangde and one Pradeep and thereafter the said co-accused Pradeep came along-with the present accused persons Andeep and Kandeep and other co-accused persons and assaulted the complainant and fled away. Thereafter, the complainant reported the matter to his father Chaitu @ Omprakash, uncle Uttara (Chacha), brother Hemant and Rohit and they all had gone to the house of present applicants to enquire about the assault. At that time in between 10.30 - 11.00 pm in the night, the accused persons in furtherance of common intention abused and badly assaulted the

complainant party, as a result of which, Uttara died on the spot and Santosh, Hemant, Rohit and Chaitu @ Omprakash sustained grievous injuries.

3. Admittedly the co-accused Shankar Jangde has been released on bail by this Court vide its order dated 23.1.2017 passed in M.Cr.C. No. 8555 of 2016. Even though, one of the main reasons for grant of bail to Shankar Jangde is that he is aged about 70 years, however, in the order passed in his favour, this Court has referred to the statements of witnesses namely Santosh Jangde and Hemant.

4. Learned Counsel for the State reads over the statement of Santosh Jangde and Hemant. It appears in their statement that the allegations against the present applicants are similar to that made against the co-accused Shankar Jangde.

5. Considering the release of co-accused Shankar Jangde on bail, the present applicants are also deserve to be released on bail.

6. Accordingly, the bail applications are allowed. It is directed that the applicants shall be released on bail on their executing a personal bond in sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court. The applicants shall thereafter appear before the trial Court on each and every date given by the said Court.

Sd/-

Vacation Judge
(Prashant Kumar Mishra)