

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6797 of 2017**

1. Jagatram Vishwakarma S/o Shri Madan Singh Vishwakarma, Aged About 50 Years Caste Lohar, R/o Village Jogada, Thana Chhal, Tahsil Dharamjaigarh, District Raigarh, Chhattisgarh
2. Sanguram Vishwakarma S/o Jagatram Vishwakarma, Aged About 23 Years Caste Lohar, R/o Village Jogada, Thana Chhal, Tahsil Dharamjaigarh, District Raigarh, Chhattisgarh
3. Angray Vishwakarma S/o Jagatram Vishwakarma, Aged About 20 Years Caste Lohar, R/o Village Jogada, Thana Chhal, Tahsil Dharamjaigarh, District Raigarh, Chhattisgarh

---- Applicants**Versus**

The State Of Chhattisgarh Through Station House Officer, Police Station Chhal, Civil & Revenue District Raigarh, Chhattisgarh

---- Respondent

For the Applicants : Shri Sumit Shrivastava, Advocate.
 For the Respondent/State : Shri Arvind Kumar Shukla, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.12.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 77 of 2017, registered at Police Station Chhal, District Raigarh, Chhattisgarh for the offences punishable under Section 307/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. The injured persons, namely, Smt. Vimla Vishwakarma, Saawan Vishwakarma and Jagatram have suffered simple injuries. There has been no ground in the FIR and the

investigation to register offence under Section 307 of the IPC, otherwise offences registered against the applicants would have been bailable. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. The facts of the case are that on the date of incident a dispute took place between the applicants and the complainant party regarding sowing seeds on the land in dispute because of which the applicants' party assaulted the complainant party with axe and club causing injuries to three persons. On the information given, FIR has been registered against the applicants and on the basis of which they are being prosecuted after completion of investigation.

6. Considering the submissions and the contents of the case-diary and taking into consideration the fact that nature of the injuries caused to all the injured persons have been reported to be simple injuries and no fracture has been found in the x-ray of one injured person, namely, Jagatram, I am of the considered view that in this case the applicants deserves to be enlarged on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge