

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2140 of 2017

Shubham Pal S/o Bholanath Pal, Aged About 21 Years R/o Near
Majhli Talab, Police Station & Tahsil Champa, District Janjgir
Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Janjgir District
Janjgir-Champa, Chhattisgarh.

----Respondent

And

MCRC No. 2148 of 2017

Faizal Khan @ Faizal S/o Chand Khan, Caste Musalmaan Aged
About 22 Years R/o Barpali Chowk, Yadav Muholla Champa, Police
Station & Tahsil Champa, District Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Janjgir, District -
Janjgir- Champa, Chhattisgarh.

---- Respondent

For applicants - Shri Mateen Siddiqui, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/04/2017

1. Both these bail applications are decided by this common order as they are arising out of the same crime number.
2. These are second bail applications under Section 439 of Cr.P.C. The earlier bail applications were dismissed on 7/03/2017 vide M.Cr.C. Nos. 1016 of 2017 and 1017 of 2017 with liberty to repeat the same after some time.
3. The applicants have preferred these applications for grant of bail as they are arrested in connection with Crime No.306/2016 registered in Police Station Champa, District Janjgir-Champa (C.G.) for offence

punishable under sections 147, 323 & 394 of Indian Penal Code.

4. As per the prosecution case, on 30/11/2016 the applicants along with other co-accused assaulted one Akash Gupta the complainant and looted two gold chains worth Rs.60,000/-. Thereby, offence has been committed.

5. Learned counsel for the applicants submits that as per Annexure A-4 the dispute took place in between two group of students and on the report of some of the accused case was also registered against Akash Gupta under Sections 147, 323 and 394 of IPC and therefore the applicants have been falsely implicated. He submits that charge sheet has been filed, no further investigation would be necessary, therefore the applicants may be released on bail.

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

7. Perused the case diary and the documents. Considering the fact that on the same day report was made by the applicants against Akash Gupta for which case was registered against him bearing Crime No.307/2016, charge sheet has been filed, no further investigation would be necessary, therefore this court is inclined to release the applicants on bail.

8. Accordingly, the second bail applications are 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

