

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4445 of 2017

1. Prabhkar Singh S/o Late Shri Dharmraj Singh, Aged About 54 Years
R/o Police Station Baikunthpur, Tahsil Baikunthpur, District Korea
Chhattisgarh
2. Santosh Kuzur S/o Marisis Kuzur, Aged About 30 Years R/o
Visunpur, Police Station Gandhinagar, Tahsil Ambikapur, District
Surguja Chhattisgarh --- **Applicants.**

Versus

- State of Chhattisgarh through Incharge Police Station Janakpur,
District Korea Chhattisgarh --- **Respondent**

For the applicants	:	Mr. B. D. Guru, Advocate
For the State	:	Mr. Surya Kant Mishra , Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.07.2017

1. This is third bail application for applicant Prabhakar Singh and second bail application for applicant Santosh Kuzur filed u/s 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.103 of 2016 registered at Police Station Janakpur, Distt. Korea (C.G) for the offence punishable under sections 394, 325, 427/34 of IPC.
2. The first bail of Prabhakar Singh was dismissed on 23.11.2016 and the second one was dismissed on 13.02.2017 whereas in respect of Santosh his first bail application was rejected on 17.10.2016.
3. As per the prosecution case, a report was lodged by one Ranu Shrivastava who is Manager of Maa Chang Lodge, Janakpur that the applicants along with other co-accused Puneshwar and Hemant entered a dispute with the complainant over accommodation in the lodge as one of the

rooms was already booked and on demanding to show the ID of accused, complainant Ranu was severely assaulted wherein he sustained fracture of his wrist and 4 teeth were broken. They have also created havoc at the main counter of lodge and snatched the gold ring and mobile of the complainant.

4. Learned counsel for the applicant would submit that the victim Ranu Shrivastava has moved an application before the Court below wherein his statement was recorded on 06.06.2017 that he has entered into compromise with accused Prabhakar Singh @ Dinesh Singh and Santosh Kujur without fear and pressure and he do not want any penal action against the applicants.
5. Learned State Counsel is not able to dispute the fact of compromise.
6. Perused the certified copy of the statement recorded on 06.06.2017. Considering the contents of such statement and further looking to the period of detention of the applicants , I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the said Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**