

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 414 of 2018**

Govind Kurre S/o Tirath Ram Kurre, Aged About 20 Years R/o Near Laxman Ban Talab Korba, District Korba Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, Korba District Korba Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 431 of 2018**

Ajay Kumar Sahu S/o Kanhaiya Lal Sahu, Aged About 19 Years R/o Near Laxman Ban Talab Tehsil And District Korba Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, Korba District Korba Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Rohit Sharma, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.03.2018**

Heard.

1. Both these applications are being decided by a common order as they arise from the similar matter. These are the first bail applications of the applicants 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.747 of 2017, registered at Police Station Kotwali, District – Korba, Chhattisgarh for the offence punishable under Section 307/34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants in both the cases are in jail since 12.11.2017 and they have been falsely implicated in these cases. Neither any case is made out under Section 307 of the IPC against the applicants in both the cases nor they used any such weapon which could have caused the injuries of incised wound to the complainant in these cases. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that the applicants had intention to cause death of the complainant in these cases. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

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

5. According to the prosecution case, on the date of incident an altercation took place between the applicants and one another, a juvenile, namely Abhishek Das, during which they threatened the complainant to kill him. Both these applicants assaulted the complainant with belt, hands and fists and the juvenile offender assaulted complainant – Pappu Nishad with a razor blade causing him injuries on his cheek and ear. After lodging of FIR, the case has been registered and the charge-sheet has been filed.

6. Considering the submissions made and the contents of the case diary and the nature of injuries caused to the complainant, the case has been investigated and the charge-sheet has been filed, I am of the considered view that no purpose would be served if the applicants are kept in detention for the whole period of trial. Hence, these applications are allowed.

7. It is directed that the applicants in both the cases 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