

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.387 of 2018**

Kartik Ram Kurre son of Makhan Lal Kurre, aged about 50 years,
Resident of Dipka, Thana – Dipka, District – Korba (CG)

---Applicant

Versus

State of Chhattisgarh through Police Station – Dipka, District – Korba
(CG)

---Non-Applicant

And

M.Cr.C.No.723 of 2018

Ghanshyam Prasad Kashyap, S/o Shri Omkar Prasad, aged about 45
years, R/o Village Navagaon, P.S. Katghora, District – Korba (CG)

---Applicant

Versus

State of Chhattisgarh through P.S. Dipka, District – Korba (CG)

---Non-Applicant

For Applicant	:	Mr.Vikas Pandey, Advocate in M.Cr.C.No.387/2018
For Applicant	:	Mr.Maneesh Sharma and Mr.Pragalb Sharma, Advocate in M.Cr.C.No.723 of 2018
For Non-applicant	:	Mr.Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

16/3/2018

1. Since the aforesaid two bail applications have been filed against the same crime number i.e. Crime No.154/2017, they are being disposed of by this common order.
2. These are the first bail applications 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.154/2017, registered at Police Station-Dipka, District-Korba (CG), for the offence punishable under Sections 452, 294, 323, 506 and 325 read with 34 of the IPC.

3. Case of the prosecution, in brief, is that the applicants entered into the house of the complainant unauthorizedly and caused grievous hurt to him by which he suffered fracture in head.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. They would further submit that the applicants are in jail since 16.12.2017 and charge-sheet has already been filed, therefore, they be released on regular bail.

5. On the other hand, learned counsel for the State would oppose the bail applications and submit that offences are serious in nature.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicants in crime in question, the fact that the applicants are in jail since 16.12.2017 and also considering the fact that dispute is pending between the parties, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-