

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7472 of 2017**

Chandu @ Chandan Singh S/o Devnarayan Singh, Aged About 30 Years R/o Village Saida, Police Station Khadgawa, District Korea, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Khadgawa, District Korea, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 8098 Of 2017**

Ramkewal Sahu S/o Sohanlal Sahu, Aged About 20 Years R/o Village Saida, Police Station Khadgawa, District Korea Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Khadgawa, District Korea, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Anil Gulati, Advocate.
For the Respondent/State	:	Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.01.2018**

Heard.

1. Both these applications are being decided by this common order as they arise from the same incident. 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 them who have been arrested in connection with Crime No. 65 of 2017, registered at Police Station – Khadgawa, District –

Korea, Chhattisgarh for the offence punishable under Sections 294, 506, 323, 307, 182, 201 read with Section 34 and 120-B of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 18.6.2017 and they have been falsely implicated in this case. No case is made out against the applicants for the offences under Section 307 of the IPC, whereas rest of the offences registered against the applicants are bailable. Co-accused - Anil Kumar Sahu in this case has been granted bail by this Court. Hence, for these reasons, the applicants are entitled for grant of bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.

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

5. The case is on account of some dispute victim – Sunil Kumar Sahu was assaulted by the applicants in both the cases and one another, with the help of lever, rod etc. causing various injuries to him. On the basis of which, FIR has been lodged and the case has been registered against the applicants.

6. Considering the medical examination report of the victim in which there is no such opinion of the doctor that the injuries caused to the victim could have caused death in ordinary course of nature. As the co-accused in

this case has already been granted bail, I am of the considered opinion that the applicants deserves to be released on bail.

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

8. 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