

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7816 of 2017**

- Som Hartik S/o Dhruv Kumar Soni, Aged About 19 Years R/o Utkal Colony Durg, District Durg, Chhattisgarh., Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Pulgaon, District Durg, Chhattisgarh., Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7829 of 2017**

- Sahil @ Sonu Quereshi @ Asrafi S/o Sanad Quereshi, Aged About 22 Years R/o Asrag Nagar, Takiya Para, Durg District Durg Chhattisgarh, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Pulgaon, Durg, District Durg Chhattisgarh, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7968 of 2017**

- Shahrukh Ali Irani S/o Saruali Irani Aged About 23 Years R/o Irani Dera Kelabadi Durg District Durg Chhattisgarh, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The District Magistrate, District Durg Chhattisgarh, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Vivek Sharma, Shri Amiyakant Tiwari, and Shri Jitendra Shrivastava, Advocates.
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For the Respondent/State	:	Shri Ashok Swarnakar, PL.
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Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****23.02.2018**

1. All the applications are heard and decided together by this common, order, as both the bail applications are arising out the same crime number and offences.
2. These are the first bail application for grant of bail to the applicants who have been arrested in connection with Crime No. 25/2017 registered at Police Station – Phulgaon, District – Durg, (C.G), for the offences under Sections 302, 307, 323, 212, 147, 148, 149/34 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act.
3. Learned counsel for the applicants have been falsely implicated in this case, no case is made out against them in the material present in the charge-sheet. Only the evidence against them is memorandum statement given by one co-accused person, other than that, no recovery of any incriminating material has been made from the possession of the present applicants, hence, it is prayed that they may be released on bail.
4. Learned counsel for the State opposes the bail application and submits that these applicants are charge-sheeted with serious offences, hence, they are not entitled for grant of bail.
5. Heard counsel for both the parties and perused the case diary.
6. As alleged on the date of incident deceased - (Abhishek Rathi) and injured Aniket Sancheti, had been to Dhaba for having meals, at that time they had some exchange of words with Raunak Dubey and Lucky

@ Shubham Sharma. During the altercation, it is alleged that co-accused person namely Jai @ Dhananjay Mahanand attacked on Abhishek Rathi with Knife and also caused Knife injury to Aniket Sancheti. The deceased expired on the way to the hospital. After lodging of FIR and completion of investigation the charge-sheet has been filed and the case is before the trial Court.

7. On Consideration on the submissions and the contents of the case diary and looking to the facts and circumstances of this case and the evidence that are proposed to be produced in trial against these applicants and also taking into consideration, that the co-accused persons in this case namely Ravi Sonkar, Lucky @ Shubham Sharma, Raunak Dubey, and Saurabh Pandiya, have been granted bail by the co-ordinate Bench of this Court, for these reasons, this Court is of the opinion that all the applicants deserve to be enlarged on bail.
8. Consequently, all the applications **M.Cr.C. No. 7816 of 2017, M.Cr.C. No.7829 of 2017** and **M.Cr.C. No. 7968 of 2017** filed under Section 439 of the Cr.P.C. are hereby allowed. It is directed that all the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each 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