

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1396 of 2018

- Manish S/o Ramesh Sahu Aged About 19 Years R/o.- Shantinagar Tahsil And District- Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Kotwali, District- Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

MCRC No. 1511 of 2018

- Punam Yadav S/o Bharat Yadav Aged About 19 Years R/o- Shanti Nagar, Rajnandgaon, Tahsil And District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Kotwali, Rajnandgaon, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicants	:	Mr. Aditya Bhardwaj, Advocate in MCRC No.1396/2018.
		Mr. Manoj Paranjpe, Advocate in MCRC No.1511/2018.
For Respondent	:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

19/04/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.

2. Both applications are applicant's first bail applications filed under Section 439 of the Code of Criminal Procedure, for grant of regular bail to the applicants who have been arrested in connection with Crime No. 603/2017, registered at Police Station-Kotwali, District – Rajnandgaon (C.G.) for the offence punishable under Sections 307/34 of the Indian Penal Code.
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants are in jail since 25.10.2017. No case is made out against them. After completion of investigation, charge-sheet has been filed. The trial against them is likely to take some time. Hence, it is prayed that they may be released on regular bail.
4. Learned counsel for the respondent/State opposes the applications and submissions made in this respect. It is submitted that looking to the evidence collected by the prosecution, no case is made out for grant of bail.
5. Heard both the parties and perused the case diary.
6. According to the prosecution case, on the date of incident both these applicants along with one juvenile Sheetal Maifil Chhatri stopped complainant Ranu Kare and demanded Rs.20/- from him and when the complainant refused to pay said amount, applicant Punam caused knife injuries on his stomach. FIR was lodged and the victim was admitted in the hospital for treatment.
7. On perusal of case diary and medical examination report, it appears that the complainant suffered gastric perforation, for which he was operated.

8. Considering the fact that the applicant Punam Yadav is a young man of only 19 years age and he has no criminal antecedent and further considering that the trial pending against both the applicants will take some time for its disposal, I am of this view that it is a fit case where the applicants should be enlarged on regular bail.
9. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the trial Court concerned, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge