

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1599 of 2018**

Ashish Patre, S/o Shri Shyam Sunder Patre, Aged about-30 years, Occupation-Student, R/o Nature City bilaspur, Police Station – Sakri, Civil & Revenue District – Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station -Chakarbhatta, Civil & Revenue District – Bilaspur (C.G.)

---- Non-applicant

M.Cr.C. No. 1340 of 2018

Rameshwar Singh @ Kallu, S/o Shri Angad Singh, aged about 30 years, R/o Vaishnavi Vihar, Uslapur, Tahsil & District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through – Station House Officer, Police Station -Chakarbhatta, District – Bilaspur (C.G.)

---- Non-applicant

For Applicant	:	Mr. Devesh Chandra Verma, Advocate in M.Cr.C. No. 1340/2018.
For Applicant	:	Mr. Devesh G. Kela, Advocate in M.Cr.C. No. 1599/2018
For Non-applicant	:	Mr. Dilman Rati Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

23/04/2018

(1) Above mentioned two bail applications filed under Section 439 of the Code of Criminal Procedure arise out of a common Crime No.301/2014, registered at Police Station Chakarbhatta, District Bilaspur, for the offence punishable under Sections 294, 506(B), 323 & 307/34 of the Indian Penal Code , therefore, they are being heard analogously and

decided by this Common Order.

(2) Case of the prosecution, in brief, is that on 5.11.2014, the applicant along with other co-accused persons assaulted the complainant namely Shiva Patel, by which he suffered grievous injuries, which were sufficient to cause his death and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicants would submit that the applicants are innocent person and they have falsely been implicated in the crime in question. He further submits that the applicants are languishing in jail since 22.01.2018 and the charge sheet has already been filed and, therefore, the applicants are entitled to be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard the counsel appearing for the parties and perused the case diary.

(6) Taking into consideration the nature and gravity of the offence, facts & circumstances of the case and considering the nature of injuries suffered by the complainant; pre-trial detention of the applicants and the fact that charge sheet has already been filed, this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the applications are allowed.

(7) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

