

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1475 of 2018**

- Pradeep Kumar Sahu @ Bhopo Sahu & Ors. S/o Late Bhailal Sahu Aged About 22 Years R/o- Durga Mandir, Chandani Chowk, Milawat Para, Khursipar, Bhilai, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
- Rajkumar @ Golu Nirankari S/o Vijay Kumar Nirankari Aged About 19 Years R/o- Durga Mandir, Chandani Chowk, Milawat Para, Khursipar, Bhilai, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
- Roshan Sao S/o Rajkumar Sao Aged About 22 Years R/o- Durga Mandir, Chandani Chowk, Milawat Para, Khursipar, Bhilai, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- **Petitioner**

**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Khursipar, Bhilai, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- **Respondent**

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| For Applicant        | : Shri B.P.Singh, Advocate  |
| For Respondent/State | : Shri Avinash Mishra, P.L. |

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**Honble Shri Justice Pritinker Diwaker**

**Order On Board**

**13/04/2018**

Heard.

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 298/2017 registered at police station Khursipar, Bhilai, District Durg (CG) for the offence punishable under Sections 294,506-B,323 and 307,34 of the IPC.

Case of the prosecution is that on 5.11.2017, applicants and co-accused persons have beaten one Satyendra Kumar. The allegation against the applicants are that they beat the injured by hands and fists whereas the co accused Rahul caused him knife injury on his neck and back.

Counsel for the applicant contends that even if the entire prosecution case is taken as it is, at least offence under Section 307 IPC is not made out against the applicants. He further submits that in the magistrate court as well as in the trial court the complainant had given no objection for releasing the applicants on bail.

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

Considering the totality of the facts and circumstances of the case, particularly the nature of allegation against the applicants, the fact that the complainant has given no objection for granting bail to the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of each of the applicants furnishing a personal bond of Rs. 50,000/- with one surety in the like sum to the satisfaction of the concerned Magistrate for their appearance before it as and when directed, they shall be released on bail.

Sd/-

(Pritinker Diwaker)

Judge