

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 7418 of 2017**

1. Naresh Sinha S/o Bhuwanlal Sinha, aged about 25 years, R/o Patharaguda Ward Jagdalpur, District Bastar, Chhattisgarh
2. Narsingh Sinha S/o Bhuwanlal Sinha, aged about 23 years, R/o Patharaguda Ward Jagdalpur, District Bastar, Chhattisgarh

---- Applicants**Versus**

State of Chhattisgarh through the Police Station Kotwali/ Jagdalpur, District Bastar, Chhattisgarh

---- Respondent

For Applicants	:	Shri Pravin Ku. Tulsyan, Advocate
For Respondent/State	:	Shri Rama Kant Pandey, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****02/01/2018**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicants who have been arrested in connection with Crime No. 348/2017 registered at Police Station Kotwali/Jagdalpur, District Bastar(CG) for the offence punishable under Sections 294, 323, 186, 353, 332, 283, 427, 506, 307 & 34 of IPC. The applicants are in jail since 06.09.2017.

2. The allegation against the present applicants is that they in connivance with other accused persons are said to have assaulted two of the traffic personnels on 05.09.2017.

3. Counsel for the applicants submits that the applicants have been falsely implicated in the instant case as there was an altercation between the applicants and the traffic police personnel namely Bhupendra and Kheduram pertaining to the parking of vehicle. He submits that it is a case where the nature of injury was simple and that there was no grievous injury

caused to any of the complainants. He prayed that considering the duration of custody, the present applicants may be released on bail.

4. State counsel, however, opposing the bail application submits that it is a case where the applicants had assaulted the government officials in the course of discharge of their duty and therefore, they are not entitled for being released on bail.

5. Having heard the contentions put forth on either side and considering the nature of incident and the fact that there was no serious injury caused to any person, coupled with the fact that the nature of injury, as per the charge sheet, was simple and the applicants have already remained in custody for a period of about 4 months, this Court is of the opinion that prima facie, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicants will be released on bail on their 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 before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE