

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.1595 of 2018

Akshay Kurre S/o Chhannulal Kurre, aged about 22 years, R/o Mini Basti, Jarhabhatha, Police Station, Civil Line, Bilaspur, District Bilaspur (C.G.).

---Applicant

Versus

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

---Respondent

M.Cr.C. No.1648 of 2018

Dharmendra Kumar Gendle S/o Dhaniram Gendle, aged about 20 years, R/o Sakinan Mini Basti, Jarhabhata, P.S. District Bilaspur (C.G.).

---Applicant

Versus

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

---Respondent

For applicants	:	Shri Chandradeep Prasad and Shri Aman Upadhyay, Advocates.
For State	:	Shri Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/04/2018

1. These are the two bail applications filed under Section 439 of Cr.P.C. by the applicants in connection with Crime No.641/2017 registered at Police Station Civil Line, Bilaspur (C.G.) for the offence punishable under Sections 148, 307 or 307/149 of IPC and Section 25(1)(1-B)(B) of Arms Act, 1959.
2. Both the applicant have been arrested on 22/08/2017 in connection with the aforesaid crime number.

3. The allegation against the present applicants as per the prosecution case is that on the date of incident i.e. on 21/08/2017, the present applicant along with the other accused person armed with Knife is said to have assaulted Dinesh Banjare and Vicky Banjare and caused grievous injuries.
4. At the outset the counsel for the applicant submits that, both the injured persons have since been examined before the trial Court and they have not supported the case of prosecution and have turned hostile.
5. This aspect has not been disputed by the State counsel on perusal of record.
6. Considering the fact that the complainants themselves have not supported the case of prosecution and have turned hostile, this Court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicants.
7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court. The applicants shall thereafter appear before the Trial Court on each and every date given by the said court.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit