

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1784 of 2018**

- Dinesh Banjare @ Billuson S/o Late Shri Krishna Banjare Aged About 23 Years R/o Mini Basti, Jharabhata, Bilaspur, Police Station- Civil Line Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- **Petitioner****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Lines, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- **Respondent****MCRC No.2283 of 2018**

1. Dilip Banjare S/o Late Shri Krishna Banjare Aged About 29 Years R/o Mini Basti, Jharabhata, Bilaspur, Police Station Civil Line, Bilaspur District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
2. Deepak Banjare S/o Late Shri Krishna Banjare Aged About 22 Years R/o Mini Basti, Jharabhata, Bilaspur, Police Station Civil Line, Bilaspur District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
3. Ishwari @ Ishu D/o Shri Pyarelal Gaherwar Aged About 28 Years R/o Mini Basti, Jharabhata, Bilaspur, Police Station Civil Line, Bilaspur District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- **Petitioner****Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Civil Lines, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

--- **Respondent**

For Applicants	:	Shri KPS Gandhi, Advocate
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****27/04/2018**

Heard.

2. The aforesaid two bail applications (M.Cr.C.Nos.1784 & 2283 of 2018) are being disposed off by a common order as both the applications arising out of same crime number.
3. The applicants in the aforesaid two bail applications have moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.640/2017 registered at Police Station Civil Line, District Bilaspur for the offence punishable under Section 450, 436, 307, 285, 323, 324 & 325/34 of IPC.
3. Case of the prosecution is that the applicants and other accused entered into the house of the victim and opened assault, in which, victim has sustained injuries.
4. Learned counsel for the applicant submitted that number of prosecution witnesses including victim has been examined and from their statement, it is revealed that a quarrel took place between two groups and the victim sustained injuries only because of fall and not because of any assault. He further submits that all the injuries are simple in nature. None of the victims have stated that the applicants set on fire the curtains of house of the complainant. Therefore, in these circumstances, it is prayed that the applicants may be granted bail.
5. On the other hand, learned State counsel opposed the prayer for grant of bail.
6. Having considered the submission of learned counsel for the parties, particularly taking into consideration that the applicants have not been charged for commission of similar offence in the past and that most of the prosecution witnesses have already been examined, I am inclined to grant bail to the applicants.
7. Accordingly, the aforesaid two bail applications (M.Cr.C.Nos.1784 & 2283 of 2018) are allowed. It is ordered that the applicants in aforesaid two bail applications shall be released on bail on each of them furnishing a personal bond of Rs.25,000/- along with one surety of the like amount to the satisfaction of the trial Court on the condition that they shall appear before the trial Court regularly on each and every date, unless exempted.

SD/-
(**Manindra Mohan Shrivastava**)
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