

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 1844 of 2018**

1. Rinku Khanday S/o Maksudan Khanday, aged about 26 years, R/o- Mini Basti, Jarhabhatha, Thana Civil Line, District- Bilaspur, Chhattisgarh
2. Suraj S/o Maksudan Khanday, aged about 26 years, R/o- Mini Basti, Jarhabhatha, Thana Civil Line, District- Bilaspur, Chhattisgarh

---- Applicants**Versus**

State of Chhattisgarh through- Thana Civil Line, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicants	:	Shri K. K. Khatri, Advocate
For Respondent/State	:	Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16/05/2018**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicants who are in jail since 22.08.2017 in connection with Crime No. 641/2017 registered at Police Station- Civil Line, District Bilaspur (CG) for the offence punishable under Section 307/34 of IPC.

2. The allegation against the present applicants, as per the prosecution, is that they along with other accused persons, on the date of incident i.e. 21.08.2017 armed with knife and Lathi are said to have assaulted injured Vikki Banjare, Dinesh Banjare and Ishwari and caused grievous injuries.

3. Counsel for the applicant, at the outset, submits that the material witnesses i.e. complainant and injured persons have been examined

before the court below and they have not supported the case of the prosecution and turned hostile. Moreover, two of the accused persons namely Akshay Kurre and Dharmendra Kumar Gendle have already been granted bail by this Court in MCRC Nos. 1595/18 and 1648/18 on similar grounds. Thus, prayed for grant of bail to the present applicants.

4. State counsel does not dispute the aforesaid facts.

5. Taking into consideration the fact that the complainant and the injured persons have not supported the case of the prosecution and turned hostile and the fact that co-accused persons have already been granted bail, this Court is of the opinion that the present applicants also deserve to be released on bail.

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