

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2231 of 2018**

1. Jhanglu Yadav S/o Awadhram Yadav Aged About 50 Years R/o- Akhrar, Police Station- Lormi, District- Mungeli, Chhattisgarh.
2. Rekhrum Yadav S/o Jhanglu Yadav Aged About 25 Years R/o- Akhrar, Police Station- Lormi, District- Mungeli, Chhattisgarh.
3. Shekhrum S/o Jhanglu Yadav Aged About 28 Years R/o- Akhrar, Police Station- Lormi, District- Mungeli, Chhattisgarh.

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Lormi, District- Mungeli, Chhattisgarh.

**---- Respondent**

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 For Applicant : Shri Akhil Mishra, Advocate  
 For Respondent/State : Shri Rajendra Tripathi, Panel Lawyer  
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**Hon'ble Shri Justice Ram Prasanna Sharma**  
**Order On Board**

**04/05/2018**

1. Heard the matter finally.
2. This is the first application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.43/2018, registered at Police Station Lormi, District Mungeli (CG) for the offence punishable under Sections 307, 394, 323, 324, 294, 506 read with Section 34 of the IPC.
3. As per the case of prosecution on 30.01.2018 at 2.00 pm the applicants gathered at Seva Sahakari Samiti, Akhrar, Mungeli and pressurized him to take back the case and when he denied, they abused the complainant and assaulted him with hands, danda and handle of the axe and looted some articles from him.

4. Learned counsel for the applicant submits that there is no evidence of robbery in the First Information Report and the medical expert has not opined regarding the injuries as dangerous to life, therefore, prima facie, no case is made out under Sections 307 and 394 IPC. He submits that the applicants are arrested on 6.2.2018 and the trial may take some time, therefore, they may be released on bail.

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

6. Perused the entire material available on record.

7. Considering the facts and circumstances of the case, particularly considering that there is no mention of robbery in the First Information Report and the applicants have also lodged report against the complainant alleging that the complainant party was aggressor, I am inclined to release the applicants on bail.

8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

9. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.20,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

10. Certified copy as per rules.

Sd/

**(Ram Prasanna Sharma)**  
**JUDGE**