

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2411 of 2018

1. Anil Yadav S/o Shri Ramkripaal Yadav (wrongly mention in impugned order as Ramgopal Yadav), Aged About 34 Years, R/o- R.D.A. Colony, Block No. C-207, Heerapur, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Ravinder Yadav @ Sonu S/o Shri Chhotelal Yadav, Aged About 30 Years, R/o- Village- Lakholi, Mandir Hasoud, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Jayhind Yadav @ Loha S/o Shri Ramjeet Yadav, Aged About 30 Years, R/o- Village- Lakholi, Mandir Hasoud, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh Through- Station House Officer, Police Station Mandir Hasoud, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicants – Shri Amit Kumar Sahu, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 18-03-2018 in connection with Crime No.64/2018 registered at P.S. - Mandir Hasoud, Raipur, Chhattisgarh for the offence under Section 323, 294, 506-B, 326, 34 of the IPC.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. In fact the applicants were first thrashed by the complainant party, because of which, one FIR has been lodged and on that basis a counter case has been registered against the complainant and others. Further, it is submitted that offence under Section 326 of the IPC is not at all made out, at the most, the offence that could have been registered would be under Section 325 of the IPC. Charge sheet has been filed. Hence, it is prayed

that the applicants may be released on regular bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. On the date of incident, on account of some previous animosity the applicants assaulted the complainant Lal Sahab Yadav with rod and caused grievous injury of fracture on his left knee along with other injuries, because of which, the FIR has been lodged against these applicants.

6. Considered on the material present in the case diary. After filing of the charge sheet, no purpose would be served if the applicants are kept in continuous detention till conclusion of the trial. Hence, for these reasons, I am of the view that these applicants should be released on regular bail.

7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge