

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7867 of 2017**

Raja Thakur S/o Shri Mohan Lal Thakur, Aged About 25 Years R/o Behind Hotel Puneet, Ganga Nagar, Pandary, P.S. Devendra Nagar, Tahsil And District Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Devendra Nagar, District Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7912 Of 2017**

Ashok Yadav S/o Tulsiram Yadav Aged About 20 Years R/o Ganganagar Behind Punit Hotel, Police Station Devendra Nagar District Raipur Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through Police Station Devendra Nagar District Raipur Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7921 Of 2017**

Ravi Yadav S/o Late Gyanu Yadav, Aged About 27 Years R/o Near Shiv Mandir, Pandri Talab, Pandri, Police Station, Pandri, Tehsil And District Raipur Chhattisgarh..

---- Applicant**Vs**

State Of Chhattisgarh Through Police Station Devendra Nagar, District Raipur Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Uttam Pandey and Shri D.K. Gwalre, Advocates.
For the Respondent/State	:	Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER**

01.03.2018

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.114 of 2017, registered at Police Station – Devendra Nagar, District – Raipur, Chhattisgarh for the offence punishable under Sections 294, 506-B, 324, 327 and 427/ 34 of the Indian Penal Code.
2. Learned counsel for the applicants submit that the applicant in M.Cr.C. No. 7867 of 2017 is in jail since 21.10.2017 and the applicants in M.Cr.C. Nos. 7912 of 2017 and 7921 of 2017 are in jail since 22.10.2017 and they have been falsely implicated in these cases. All the applicants and the complainant were friends who had associated for having drinks. At that time, due to some dispute some hot talks took place and only simple injuries caused to the complainant. No case is made out with respect to the offence registered against these applicants and all the offences are triable by the Judicial Magistrate First Class. Hence, it is prayed that the applicants in all these cases be benefited with grant of bail.
3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.
4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident the applicants in all the cases stopped complainant - Jitendra Kumar Verma and asked him to pay money for purchasing liquor, to which he refused because of which all the applicants assaulted the complainant with hands, fists and a wooden plank causing injuries to him. Hence, this case.

6. Considering the material present in the case diary, as only simple injuries caused to the complainant in this case, the applicants are local residents of District Raipur and there is no difficulty in their availability during trial, I am of the view that the applicants in all the cases deserve to be released on regular bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in all the cases 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 trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge