

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3858 of 2018**

1. Rahul Bharti S/o Shri Chandra Bharti Aged About 23 Years
2. Golu S/o Shri Kariya Bharti Aged About 25 Years
3. Anmol Bharti S/o Shri Dilip Bharti Aged About 24 Years
4. Raja Bharti S/o Shri Dilip Bharti Aged About 34 Years
5. Bauna Alias Puneshwar S/o Shri Shashi Bharti Aged About 20 years
6. Ajay Bharti S/o Shri Shashi Bharti Aged About 24 Years

All residents of Bhaisapasra, Balodabaza, Police Station City Kotwali, Balodabazar, District Balodabazar- Bhatapara, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Balodabazar, District Balodabazar- Bhatapara, Chhattisgarh.

---- Respondent

For the applicants : Ms. Supriya Upasane, Advocate.
For the respondent/State : Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma

Order on Board

28-6-2018.

1. This is first bail 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. 172 of 2018 registered at Police Station City Kotwali, Balodabazar (CG), for the offence punishable under Sections 147, 148, 149, 294, 323, 506, 307 of the IPC.
2. Case of the prosecution is that the applicants and the complainants are the residents of same locality. On some

altercation, the applicants assaulted the complainant party with hands and fists, on which, they fell on the barbed wire fencing and received simple injuries.

3. Learned counsel appearing for the applicants submits that as per opinion of medical expert, the injuries found on the body of the victims namely Mohit, Ajay, Smt. Satiyan Bharti, and Kabir are simple in nature, therefore, an offence under Section 307 of the IPC is prima facie not made out against the applicants. She submits that the applicants are in jail since 31.3.2018 and no useful purpose would be served to retain them in jail. She prays for releasing the applicants on bail.
4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the fact that the injuries found on the body of the victims namely Mohit, Ajay, Smt. Satiyan Bharti and Kabir are simple in nature, I am of the opinion that present is a fit case to enlarge the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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 local surety each in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules

Sd/

(Ram Prasanna Sharma)
JUDGE