

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3965 of 2018

1. Motisagar S/o Parmeshwar Banjare, aged about 31 years,
 2. Divya Kumar Jatwar, S/o Udal Jatwar, aged about 20 years,
- Both R/o Village- Telikot, Tahsil & P.S. Kharsiya, District- Raigarh (C.G.).

--- Applicants

Versus

State of Chhattisgarh, Through- Police Station- Kharsiya, District- Raigarh (C.G.).

---- Respondent

For Applicant	:	Mr. Vivek Pandey, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

27/06/2018

1. The applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 139/2018 registered at Police Station- Kharsiya, District- Raigarh (C.G.) for the offence punishable under Sections 294, 323, 325 and 452 (2) of IPC.
2. As per prosecution story on 07/03/2018, when complainant- Ajay Kumar was standing in front of his house, some dispute occurred between him and one Pinto. At about 10:45 am, when the complainant was taking his breakfast, both the applicants entered into his house, abused him and assaulted him by hands and fists. The complainant sustained injuries on his hand and nose. The matter was reported and the applicants were arrested on 18/05/2018.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that the applicants are in custody since 18/05/2018, trial will likely to take some time and the offence is triable by the JMFC, therefore, the applicants may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly considering that the applicants are in custody since 18/05/2018, trial will likely to take some time and the offence is triable by the JMFC , without further commenting on merit of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 10,000/- with one surety each for the like amount to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date given by the said Court.

Sd/-

Judge
Arvind Singh Chandel