

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4620 of 2018**

1. Shankar Lal S/o Mahettarlal, Aged About 55 Years, R/o Village Sewai, Police Station Pamgarh, District Janjgir Champa Chhattigarh, District : Janjgir-Champa, Chhattisgarh
2. Smt. Darasbai W/o Shankarlal Suryavanshi, Aged About 53 Years, R/o Village Sewai, Police Station Pamgarh, District Janjgir Champa Chhattigarh, District : Janjgir-Champa, Chhattisgarh

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Pamgarh, Civil and Revenue District Janjgir Champa Chhattigarh, District : Janjgir-Champa, Chhattisgarh

**----Non-applicant**

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For Applicants – Shri D. Kushwaha, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

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

**Order on Board**

**23-07-2018**

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 20-05-2017 in connection with Crime No.108/2018 registered at P.S. -Pamgarh, District Janjgir Champa, Chhattisgarh for the offence under Section 294, 323, 307, 506-B/34 of the IPC.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 20-05-2017. No case is made out against them. In fact, the applicants and the complainant party had free fight after a quarrel between them on account of dispute regarding cutting of wood. One FIR was lodged from the applicants' side also and on that basis the case has been registered against the complainants which is counter case of this case. The injury caused to the injured persons are not of fatal nature. Hence, it is prayed that the applicants may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application

submitting that according to the medical report, the injury caused to one victim Mohitram was coupled with fracture on skull and this injury was dangerous to his life. Hence, no case is made out for grant of bail.

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

5. According to the prosecution case, because of the dispute between the applicant party and the complainant party regarding cutting of wood it is alleged that these applicants armed with rods and other weapons assaulted the complainants and others causing injuries to them.

6. Grievous injury has been caused to one of the injured Mohitram, but, there is no such report that this injury would have been fatal in ordinary course of nature, also taking into consideration this fact that there is a counter case against the complainants of this case pending before the Court, I am of this view that these applicants should be benefited with grant of 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**