

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5326 of 2018

Raju Gupta, S/o. Nirapakar Gupta, Aged About 19 Years, Occupation Labour,
R/o. Handipara, H.M.T. Chowk, Police Station Azad Chowk, Raipur District
Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Station House Officer, Police Station
Kotwali, Raipur District Raipur Chhattisgarh.

---Respondent

AND

M.CR.C. No. 5327 of 2018

Vikram Baghel, S/o. Ramu Baghel, Aged About 20 Years, Occupation Labour,
R/o Gandhi Nagar Kalibadi, Police Station Kotwali, Raipur District Raipur
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Station House Officer, Police Station
Kotwali, Raipur District Raipur Chhattisgarh.

---- Respondent

For Applicants	:	Mr. C.R. Sahu, Advocate
For Respondent	:	Mr. Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

17/08/2018

- Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.
- These are the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.147/2018, registered at Police Station- Kotwali, Raipur, District – Raipur (C.G.) for the offence punishable under Section 294, 323, 324, 327, 506-B, 34 of the Indian Penal Code and Section 25, 27 of the Arms Act.
- Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. Applicants are in jail since 05.05.2018. No case is made out against them on the basis of the

material present in the case diary. Charge-sheet in this case has been filed after completion of investigation. Hence, it is prayed that the applicants may be enlarged on bail.

4. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
5. I have heard the learned counsel for the parties and perused the documents placed on record.
6. It is alleged that on the date of incident, the applicants in both the cases demanded money from the complainant Ajay Soni to buy liquor as he refused, then he was assaulted by both these applicants and during this assault, the applicant Raju Gupta assaulted him with knife causing two stab injuries. Hence, this case.
7. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, it appears that the injured person has not suffered any fatal injury. Looking to the tender age of both the applicants, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, both the bail applications filed under Section 439 of Cr.P.C. are allowed.
9. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(**Rajendra Chandra Singh Samant**)
Judge