

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6483 of 2018

- Sushil Domar S/o Hari Lal Domar Aged About 28 Years R/o- Pragati Nagar Jhhopadpatti, Deepka, P.S. Deepka, District- Korba, Chhattisgarh.
- Chhota Kenvacha Murer S/o Gilva Murer Aged About 22 Years R/o- Pragati Nagar Jhhopadpatti, Deepka, P.S. Deepka, District- Korba, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station Deepka, Tahsil Katghora, District- Korba, Chhattisgarh.

---- Respondent

For Applicants	: Shri Govind Ram Miri, Advocate.
For Respondent/State	: Shri R.K. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/10/2018

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 139/2018, registered at Police Station Deepka, District Korba (C.G.) for the offence punishable under Sections 294, 323, 506 & 323 of the IPC and Section 25 & 27 of the Arms Act.
2. As per the prosecution story, on 19.07.2018 at about 9:30 PM allegedly present applicants abuses complainant Udaybhan and assaulted him with a knife because of which he sustained injury on his hand, Patiram father of the complainant trying to intervene and he was also assaulted by the present applicants with a knife because of which he sustained injury. Report was made by Udaybhan, offence under Section 294, 323, 506 r/w Section 34 of the IPC has been registered.

Both the injured were medically examined, after that offence under Section 326 of the IPC has been added. Applicants are arrested on 01-08-2018.

3. Learned counsel appearing on behalf of the Applicants submits that applicants are innocent in the present case. He further submits that complainant has only sustained injury in pinky finger of his hand, though it was found in grievous nature, but there is nothing on record on the basis of which offence can be made out against the present applicants. Due to old rage, they have been falsely implicated, they are in custody since 01-08-2018, charge-sheet has already been filed and trial will take some time, therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that complainant had injury only on his pinky finger, applicants are in custody since 01-08-2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge