

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6706 of 2018**

1. Bhuwan Sonwani S/o Bodhwa Sonwani Aged About 36 Years R/o Village Harinbhatta Chowki- Gidpuri, P.S.- Palari, District-Balodabazar- Bhatapara, Chhatisgarh.
2. Sandeep Manhare S/o Brijlal Manhare Aged About 19 Years R/o Village Harinbhatta Chowki- Gidpuri, P.S.- Palari, District-Balodabazar- Bhatapara, Chhatisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station- Palari, District-Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicants	: Mr. Sumit Jhanwar, Advocate
For State/respondent	: Mr. Rahul Tamaskar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****27/09/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to them as they are in custody in connection with Crime No.74/2018 registered at Police-Station-Palari, District-Balodabazar-Bhatapara(C.G.) for the offence punishable under Sections 147, 148,

149, 307/34 of the Indian Penal Code.

2. It is submitted by the learned counsel for the applicants that the applicant have been falsely implicated in this case. No case is made out against them. Similarly placed co-accused person have been granted regular bail by this Court in MCRC No.5670 of 2018 vide order dated 31.8.2018. Hence, it is prayed that they may be released on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As alleged in the FIR, this applicant along with co-accused persons came to the house of complainant Sadhin Bai on 26.1.2018 and started exhorting and calling injured William, son of the complainant. When William came out, all the accused persons assaulted and injured him with clubs. Rohit Baghel has also suffered injuries in the same incident. Head injury caused to injured William was found to be grievous in nature, hence, this case.
6. After due consideration all the material present in the case diary, and for the reason that similarly placed co-accused persons have been granted regular bail, I am of this opinion that this is a fit case where applicants should be benefited with grant of regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that applicant shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one

surety in the like sum to the satisfaction of the concerned trial Court,
for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha