

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6658 of 2018**

1. Nilesh Kumar Choure S/o Shri Premdas Choure, aged about 19 Years.
2. Dinesh Choure S/o Shri Premdas Choure, aged about 29 Years.

Both R/o- Om Nagar, Ward No. 58, Urla, P.S. Mohan Nagar,
Tahsil and District- Durg, Chhattisgarh., District : Durg,
Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through- Police Station- Mohan Nagar, Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent**And****MCRC No. 6696 of 2018**

- Swapnil Sharma S/o Shri Sanjay Sharma, Aged About 18 Years, R/o Near Railway Crossing, Ward No. 57, P.S. Mohan Nagar, District - Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Mohan Nagar, District - Durg, Chhattisgarh.

---- Respondent**And****MCRC No. 6715 of 2018**

- Satish Kumar Bombarde S/o Shri Rajkumar Bombarde, Aged About 18 Years, R/o Om Nagar, Ward No. 58, Urla, Police Station Mohan Nagar, Tahsil And District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Mohan Nagar, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicants	:	Smt. Meena Shastri and Shri Ishan Verma, Advocates.
For Respondent	:	Shri Aditya Sharma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05/10/2018**

1. The applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody since 01.07.2018 in connection with Crime No.239/2018 registered at Police Station : Mohan Nagar, District Durg (C.G.) for the offence punishable under Sections 294, 506-B, 323, 324, 307 read with section 34 IPC.
2. As per the prosecution case, on 29.06.2018 a report was lodged by mother of the victim alleging in it that on that day at night the applicants, on account of old enmity, assaulted his son Ashish Meshram by hands and fists, sword and brick as a result of which he sustained injury on his head & also threatened him for dire consequences. Based on this, an FIR was registered against the applicants and has been arrested on 01.07.2018.
3. Learned counsel for the applicants submit that the applicants have been falsely implicated in the crime in question. It has been further argued that the victim is habitual drunker and he sustained injury on his head due to fall. It has been also argued that the applicants are in jail since 01.07.2018, the charge sheet has already been filed and there is no likelihood of their case being decided in near future, therefore, the applicants may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the

record.

6. Considering the totality of the facts and circumstances of the case, the nature of evidence, and further considering the fact that the applicants are in jail since 01.07.2018, this Court is of the opinion that it is a fit case to release the applicants on bail.
7. Accordingly, the applications are allowed and the accused/applicants are directed to be released on bail on their furnishing a personal bond of Rs.20,000/- each with one surety for the like sum to the satisfaction of the concerned Court for their appearance before it as and when directed.

Sd/-

(Rajani Dubey)
Judge