**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No. 7312 of 2018**

1. Brijlal Manhare S/o Asharam Manhare Aged About 42 Years R/o Village- Harinbhatta, Chowki- Gidhpuri, Police Station- Palari, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Mangalchand Sonwani S/o Lakhan Sonwani Aged About 20 Years R/o Village- Harinbhatta, Chowki- Gidhpuri, Police Station- Palari, District- Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

**---- Applicants**

**Versus**

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

**---- Respondent**

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For the Applicants : Shri Anchal Kumar Matre, Advocate.
For the Respondent/State : Shri Vijay Bahadur Singh, P.L.

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

**ORDER**

**12.11.2018**

Heard.

1. This is the second bail application of the applicants. The first bail application of the applicants was dismissed as withdrawn on 16.7.2018 in M.Cr.C. No. 1752 of 2018. The applicants who have been arrested in connection with Crime No.74 of 2018, registered at Police Station – Palari, District – Baloda Bazar-Bhatapara, Chhattisgarh for the offence punishable under Sections 147, 148, 149 and 307/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 26.1.2018 and have been falsely implicated in this case. No case

is made out against the applicants on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused persons have been granted regular bail by this Court in M.Cr.C. No. 5670 of 2018 vide dated 31.8.2018. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

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

5. It is alleged that the applicant alongwith the co-accused persons formed an unlawful assembly with common object to assault and injure the victims – William Johnson & Rohit Baghel, who were assaulted and injured thereby.

6. After considering the entire material present in the case-diary and taking into consideration the fact that similarly placed co-accused persons have been granted regular bail by this Court, I feel inclined to grant regular bail to the applicants.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 trial Court, for their appearance as and when directed. In case any default is committed by the

applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

**Sd/-**

**(Rajendra Chandra Singh Samant)**
Judge

Nimmi