

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6748 of 2018**

- Asif Khan S/o Latif Khan, Aged About 21 Years, R/o Azad Chowk, Mangla, Police Station - Civil Lines, Bilaspur, District - Bilaspur, Chhattisgarh.

---- Appellant**Versus**

- State Of Chhattisgarh Through, Station House Officer, Police Station - Civil Lines, District - Bilaspur, Chhattisgarh.

---- Respondent**MCRC No. 7497 of 2018**

- Raja Patre S/o Shri Ramesh Patre, Aged About 21 Years, R/o Azad Chowk Mangla, Police Station- Civil Line, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Appellant**Versus**

- State Of Chhattisgarh Through District- Magistrate, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondent**And****MCRC No. 7661 of 2018**

- Ashutosh Gautam @ Ashu S/o Late Dharamprakash Gautam, aged about 21 years, R/o Kududhand, Panchmukhi Hanuman Mandir Mangla Road, Police Station - Civil Lines, Bilaspur, District Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station - Civil Lines, District Bilaspur (C.G.).

---- Respondent

For Applicant in MCRC No.6748/2018 & 7661/2018	:	Shri Sunil Sahu, Advocate.
For Applicant in MCRC No.7497/2018	:	Shri C.P. Lahrey, Advocate.
For Respondent.	:	Smt. M. Asha, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board**

10/10/2018

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 31.05.2018 in connection with Crime No.286/2018 registered at Police Station : Civil Line, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 294, 307 read with section 34 IPC.
2. The prosecution case, in brief, is that on 03.04.2018 at about 07.30 PM injured Sudhir Tiwari was sitting on a tractor of one Laxmi Kale, at the relevant time, the applicants came there, used filthy language, assaulted him by knife and threatened him for dire consequences. The FIR was lodged by Sushil Tiwari, brother of injured Sudhir Tiwari, based on which, offence under Sections 394, 307 and 34 IPC was registered against the applicants and they have been arrested.
3. Learned counsel for the applicants submit that the applicants have been falsely implicated in the crime in question. They further submit that the weapon alleged to have been used in crime and the query report of the Doctor is contradictory to each other. Lastly, it has been submitted that the injured has been discharged from the hospital and a compromise has been arrived at between the injured and the appellants and an affidavit to this effect has also been filed by the injured.
4. I have heard learned counsel for the parties and perused the record.
5. Considering the fact that the charge-sheet has been filed, the applicants are in jail for more than four months, and further

considering the fact that the trial will take some time, this Court is of the opinion that it is a fit case to release the applicants on bail.

6. Accordingly, the applications are allowed and the applicants are directed to be released on bail on their furnishing a personal bond of Rs.25,000/- 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