

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7685 of 2018

- Raja @ Aditya Mahilange S/o Chhotelal Mahilange Aged About 19 Years R/o Majhawapara Bilaspur, Police Station - Civil Line, Tahsil And District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Civil Line, Bilaspur, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

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MCRC No. 7701 of 2018

- Sikandar Mahilange S/o Chhotelal Mahilange Aged About 23 Years R/o Majhawapara Bilaspur, Police Station - Civil Line, Tahsil and District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through It's Police Station - Civil Line, Bilaspur, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Mr. Ravi Maheshwari, Advocate
For State/respondent	: Mr. Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****12/11/2018**

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. All these bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 are first bail applications on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.747/2018 registered at Police Station- Civil Line, Bilaspur, Civil & Revenue District – Bilaspur(C.G.) for the offence punishable under Sections 147, 148, 149, 458, 323, 294 & 506 of Indian Penal Code (for short 'IPC').
3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. No case is made out against the applicants on the basis of the material present in the charge-sheet. Present is a case of free fight because of which the counter case has been registered against the complainant party registered as crime No.746/2018. Hence, it is prayed that the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail applications and the submission made in this respect. It is submitted that both the applicants have criminal antecedents, hence, they are not entitled for grant of regular bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. It is alleged that on account of previous dispute these applicants along

with other co-accused persons forcefully entered into the house of the complainant Kirti Barman, abused, threatened and then assaulted her with clubs causing injuries to her. Hence, this case.

7. All these injuries caused to the victim in this case are simple in nature and the material in case diary discloses about the previous dispute. Further, for the reason that the charge-sheet has been filed after completion of investigation this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants 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