

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7753 of 2018

1. Rajesh Yadav S/o. Shri Dagmal Yadav @ Dagmal, Aged about 38 years,
R/o. Bhavani Nagar, Jora, P.S. Telibandha, Raipur District Raipur (C.G.)
2. Dgmal Yadav @ Dagmal Yadav S/o. Kalkohar Yadav, R/o. Bhawani
Nagar, Jora, P.S. Telibandha, District Raipur (C.G.)

---- Applicants

Versus

State of Chhattisgarh through Station House Officer Police Station
Basaguda, District Bijapur (C.G.)

---- Respondent

For Applicants : Ms. Indira Tripathi, Advocate
For Respondent : Ms. M. Asha, Paneal Lawyer

Hon'ble Shri Justice Vimla Singh Kapoor.

Order On Board

30/10/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicants who have been arrested in connection with Crime No. 260/2018 registered at Police Station- Telibandha, Raipur District Raipur (C.G.) for the offence punishable under Sections 302,323,147,148 IPC and 25 and 27 Arms Act.
2. Case of the prosecution, in brief, is that on 19.05.2018 FIR lodged by Kunal Sonani alleging in it that the accused Ashok Yadav, Ranjan Yadav, Ramesh Yadav and Ravi Yadav abused him and assaulted the him with hands and fist. It is further alleged that when his brother Sagarmal came to save him then the applicant Ashok Yadav inflicted knife injury to Sagarmal and he was sent to hospital for treatment where he died.

3. Learned counsel for the applicants submits that the applicant has been falsely implicated in the case. He submits that there is no overt act against the applicants and the name of the applicant is not mentioned in the FIR. Hence, the applicant may be enlarged on bail.
4. On the other hand, learned State counsel opposes the prayer for bail.
5. Perused the case diary and the charge sheet which shows that the death of the deceased was as a result of the injuries caused by the applicants. Accordingly, this Court is not inclined to release the applicants on bail. Application is therefore, rejected.

Sd/-

(Vimla Singh Kapoor)
Judge

Santosh