

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8075 of 2018**

1. Wahid Khan S/o Johir Mohammad Aged About 34 Years R/o Village Bojiya Police Station Chhal Tahsil Dharamjaigarh ,district Raigarh Chhattisgarh .
2. Salman Khan S/o Abdul Sattar Aged About 26 Years R/o Village Bojiya Police Station Chhal Tahsil Dharamjaigarh ,district Raigarh Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Chhal ,district Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Ashutosh Mishra, Advocate
For the State	:	Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/10/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.94/2018 registered at Police Station Chhal, District Raigarh (C.G.) for the offence punishable under Sections 294, 506, 323, 307, 34 of IPC.
3. Case of the prosecution, in brief is that on 15/07/2018 at 8.30 p.m. near village Chuhkimar applicants, co-accused Saroj Khan, Firoz Khan abused the complainant Ramayan Pandey gave threatening to kill him, applicant Wahid Khan caused injury on his forehead by sharp object, co-accused Saroj Khan, Firoz Khan and applicant Salman Khan beat him by hand, fist and leg they also beaten complainant Prabhakar Pandey by hands and fist. As per the MLC report of complainant Ramayan Pandey one lacerated wound was found on the forehead, injuries of complainant

Ramayan Pandey were found simple in nature. As per the enclosed alleged ekrarnama it has been mentioned by complainant Ramayan Pandey that applicants had not beaten him and he had stated the name of the applicants wrongly.

4. Learned counsel for the applicants submits that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. He further submits that 12 other criminal cases have already registered against the applicant No.1 Wahid Khan. 2 other criminal cases have registered against the applicant No. 2 Salman Khan.
6. Looking to the above mentioned facts and circumstances of the case, looking to this fact that 12 other criminal cases have already registered against the applicant Wahid Khan, bail application of applicant No.1 Wahid Khan is rejected. It is further ordered that if the applicant No.2 Salman Khan furnishes two solvent sureties for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that applicant No.2 will not involve himself in any of the crime in future, applicant No. 2 Salman Khan be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge