

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8850 of 2018**

1. Firoz Khan S/o Jabbar Khan Aged About 35 Years,
2. Saroj Khan @Chhotu Khan S/o Jabbar Khan Aged About 30 Years

Both are Occupation Labour R/o Village Tarekela Police Station Chhal ,tehsil Dhanramjaigarh District Raigarh ,chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer ,police Station Chhal District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sandeep Yadav, Advocate
For the State	:	Shri Ramakant Pandey, P.L.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**01/12/2018**

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 learned 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 Section 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 Wahid Khan, Salman Khan abused the complainant Ramayan Pandey gave threatening to kill him, co-accused Wahid Khan caused injury on his forehead by sharp object, applicants Saroj Khan, Firoz Khan and co-accused 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.
4. Learned counsel for the applicants submits that they have innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that two criminal cases have been registered against applicant No. 1 Firoz Khan one under IPC and another CrPC, three criminal cases have been registered against applicant No. 2 Saroj Khan @ Chhotu Khan one under IPC and two CrPC.
6. This Court has enlarged the co-accused Salman Khan on bail on 27/10/2018 in MCRC No. 8075 of 2018, the case of the applicant is

similar to the applicant Salman Khan. In other words the case of the applicants is not more severe than co-accused Salman Khan.

7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicants furnish two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- each to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial they would cooperate during the trial, they shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde