

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9242 of 2018

- Yashwant Sukhdeve S/o Shri Hajarilal Sukhdeve, aged about 23 years, R/o Village-Subhiya Mudpar, Thana & District Kanker (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station-Kanker, District- Kanker, Chhattisgarh.

---- Respondent

AND

MCRC No. 9262 of 2018

- Chhaganlal Wasnikar, S/o Arun Wasnikar, aged about 23 years, R/o Village Subhiya Mudpar, Thana & District- Kanker, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station-Kanker, District- Kanker, Chhattisgarh.

---- Respondent

For Applicant (in MCRC 9242/2018) :	Mr. Somkant Verma, Advocate
For Applicant (in MCRC 9262/2018) :	Mr. Somkant Verma, Advocate
For Respondent/State :	Mr. Sangharsh Pandey, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

14/12/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in

connection with Crime No. 180/2018 registered at Police Station-Kanker, Distt. Kanker (C.G.) for the offence punishable under Sections 450, 307, 323, 324 & 34 of the Indian Penal Code.

3. As per prosecution story on 15/05/2018 at about 3:15 PM when complainant Kumari Karuna Khaperday sitting with her family members in her home, allegedly present applicants entered in the house of complainant and a dispute took place between them. Thereafter, applicant Yashwant Sukhdev assaulted the father of the complainant namely Deenbandhu with a knife due to which he sustained injury on his stomach and when the complainant tried to intervene between them applicant Chhaganlal Wasnikar assaulted the complainant with the help of knife due to which she also sustained injuries on her fingers. Report was lodged by Kumari Karuna Khaperday. On the basis of said report offence has been registered against the applicants and they have been taken in custody on 15.05.2018 itself.
4. Learned Counsel for the applicants submits that both the applicants are innocent and have been falsely implicated in the present case. He further submits that the evidence collected by the prosecution, no offence under Section 307 of the IPC can be made out against the present applicants. The applicants are in custody since 15-05-2018, charge-sheets have already filed and trial will likely to take some time, therefore, they may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.

6. I have heard learned counsel for both the parties and perused the case diary.
7. Considering the above facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that the applicants are in jail since 15-05-2018, charge-sheets have already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs.25,000/- with one local solvent surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge