

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9040 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 : Mr. Awadh Tripathi, Advocate
For Respondent : Ms. M. Asha, Panel Lawyer

Hon'ble Smt. Justice Vimla Singh Kapoor.

Order On Board

26/11/2018

1. This is the second 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 Section 25 and 27 of the Arms Act.
2. As per prosecution case, on 19.05.2018 an FIR lodged by Kunal Sonani, alleging in it that the Ashok Yadav Ranjan Yadav, Ramesh Yadav and Ravi Yadav abused and assaulted him with hands and fists. It is further alleged that when his brother Sagarmal came to

save him then applicant Ashok Yadav inflicted knife injury to his brother and he was sent to hospital for treatment where he died.

3. Learned counsel for the applicants submits that the present applicants have not committed any offence and have been falsely implicated in the case. He further submits that the applicants are in jail since 22.05.2018 therefore, they may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the fact that earlier bail application of the applicants has already been rejected by this Court vide order dated 30.10.2018 in MCrC No. 7753 of 2018 and as the counsel for the applicants did not bring on record anything new showing some change in the circumstances enabling the applicants to be released on bail, I am not inclined to release the applicants on bail.
6. Accordingly, this application is also rejected.

Sd/-

(Vimla Singh Kapoor)
Judge

Santosh