

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 113 of 2019**

1. Ghasiram S/o Late Shri Motiram Banjare Aged About 65 Years R/o Kera, Police Station- Navagarh, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Ramkhilavan @ Guddva S/o Shri Ghasiram Banjare Aged About 27 Years R/o Kera, Police Station- Navagarh, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Puniram Banjare S/o Ghasiram Banjare Aged About 36 Years R/o Kera, Police Station- Navagarh, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station- Navagarh, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant**MCRC No. 256 of 2019**

- Deepak S/o Shri Ghasiram Aged About 20 Years R/o Kerra, Police Station- Navagarh, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station- Navagarh, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Virendra Verma, Advocate.
For Non-applicant	: Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****04.02.2019**

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 125/2018 registered at Police Station – Navagarh, District- Janjgir- Champa, (C.G.) for the offence punishable under Section 302, 120(B), 34 of the IPC.
4. Case of the prosecution, in brief is that earlier applicants had told that they will kill deceased Shiva Banjare by driving vehicle over him. On 29.07.2018 at about 08-09 am at village Gera applicant Deepak drove vehicle bearing registration No. CG-12-AJ-1665 rashly and negligently, hit deceased from back who was walking by the road side. When the deceased was trying to stand up, he reversed the vehicle and again hit him. Deceased died due to

injuries.

5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application and submitted that two other criminal cases have been registered against each of the applicants.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicants on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE