

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 176 of 2019**

1. Pavan Kashyap, S/o Shri Malikram, Aged About 26 Years, District : Mungeli, Chhattisgarh.
2. Narendra Kashyap S/o Shri Malikram, Aged About 22 Years R/o Village Tharakpur Police Station and Tahsil Lormi, District Mungeli, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Police Station Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant	: Shri Dheerendra Pandey, Advocate.
For Respondent/State	: Smt. Smita Ghai, P.L

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**04/02/2019**

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 111/2018, registered at Police Station – Lormi, District - Mungeli, (C.G.) for the offence punishable under Section 324, 307, 34 of the Indian Penal Code.
2. As per the prosecution story, in the intervening night of 02.03.2018, at about 2:00 am, due to some dispute the present Applicants assaulted Rupesh Kumar with knife due to which he sustained injuries on his back. Report has been lodged by Kashi Ram Yadav who is the father of Rupesh. On the basis of the said, initially offence under Section 324/34 of the IPC has been registered. Later on offence under Section 307 of the IPC has been added. The Applicants have been taken into custody on 17.12.2018.
3. Learned Counsel appearing on behalf of the Applicants submits that

the Applicants are innocent and have been falsely implicated in the case. He further submits that on the basis of evidence collected, no offence under Section 307 of the IPC is made out against the Applicants. Applicants are in custody since 17.12.2018 and trial will take some time. Therefore, they may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants are in custody since 17.12.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge