

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 428 of 2019**

1. Than Singh Dhru, age – 45 years, S/o Shri Thakur Ram Dhru,
2. Lalit Dhru, age – 25 years, S/o Shri Than Singh Dhru,

Both are by profession – Farmer, By Caste – Gond, R/o Village – Gourkheda,
P.S.- Mahasamund, Civil & Revenue Distt. Tahsil & District Mahasamund,
Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through- P.S. Mahasamund, Civil & Revenue District
and District Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	: Shri Jameel Akhtar Lohani, Advocate.
For Respondent/State	: Shri Amit Singh, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/04/2019

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. 666/2018, registered at Police Station – Mahasamund, District- Mahasamund, (C.G.) for the offence punishable under Sections 307, 294, 506 323/34 of Indian Penal Code.
2. As per the prosecution story, on 13.11.2018 at about 4:30 pm, when Complainant Raghunandan Lodhi was sitting with his son Pritam, allegedly, present Applicants came there and attacked them with club & axe thereby causing injury to Pritam Lodhi & Santosh Lodhi. Thereafter, matter was reported and on the basis of the said, offence has been registered. The Applicants were taken into custody on 18.12.2018.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case due to some previous enmity. He further states that there is nothing on record on the basis of which *prima facie*, offence under Section 307 of IPC can be made out against the Applicants. He also submits that charge-sheet has been filed. Applicants have no previous criminal antecedents and they are in custody since 18.12.2018 and trial is likely to 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 charge-sheet has been filed, Applicants are in custody since 18.12.2018 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 executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge