

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1262 of 2019**

1. Bhagwali Yadav @ Jhuru, aged about 19 years, S/o Shri Sitaram Yadav.
 2. Shailendra Kumar Kaivart, aged about 19 years, S/o Shri Vinod Kaivart.
- Both are resident of village Lavar, P.S. & Tahsil Masturi, District Bilaspur (CG).
- Applicants**

Versus

State of Chhattisgarh, through Police Station Incharge Masturi, District Bilaspur (CG).

---- Non-applicant

For Applicants : Mr. Rajendra Kumar Suryawanshi, Advocate.
 For Non-applicant : Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.03.2019

1. This is 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.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.554/2018 registered at Police Station Masturi, District Bilaspur for the offence punishable under Sections 294, 506, 323, 326, 452, 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 07.11.2018 at about 8:00 p.m., the complainant Shyam Charan @ Puklu Kevat was stand on the road in front of his house at village Diprapara Lavar, the applicants and co-accused Sumit reached there, they abused him and they beat him by hand and fist. The said complainant ran away and went to his house then the applicants and co-accused Sumit entered in his house. Co-accused Sumit caused injury on the chest and abdomen of the said complainant by vegetable knife. As per paper of Life Care Hospital, step injuries were found on his abdomen and chest.
4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicants in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, the bail application of the applicants is allowed. It is ordered that if the

applicants furnish two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs.50,000/- each to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail and they shall not involve any such type of crime in future.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-