

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1755 of 2019**

Ashwani Gayakwad, aged about 23 years, son of Ishwar Gayakwad, R/o Village Yatiyatan Lal Ward No.4, New Godwara Ring Road No.2, P.S. Khamtarai, District Raipur (CG).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Khamtarai, District Raipur (CG).
---- Non-applicant

AND**MCRC No.1994 of 2019**

1. Suraj Kumar Puraina, S/o Uttara Kumar Puraina, aged about 18 years, R/o Yatiyatan Lal Ward No.4, New Gondwara, Ring Road No.2, P.S. Khamtarai, District Raipur (CG).

2. Tarun Sahu, S/o Anup Sahu, aged about 19 years, R/o Yatiyatan Lal, Ward No.4, New Gondwara, Ring Road No.2, P.S. Khamtarai, District Raipur (CG).
---- Applicants

Versus

State of Chhattisgarh, through Station House Officer, Police Station Khamtarai, District Raipur (CG).
---- Non-applicant

For Applicants : Mr. Pradeep Kumar Singh & Mr. Sangharsh Pandey,
 Advocates

For Non-applicant : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****28.03.2019**

1. Above mentioned two bail applications arise out of a common Crime No.100/2019 registered at Police Station Khamtarai, District Raipur for the offence punishable under Sections 294, 323, 327, 506, 427, 34 of Indian Penal Code, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the CrPC.

2. Prosecution story in brief is that on 25.02.2019 at about 10:45 p.m. at near Reliance Petrol Pump, Bhanpuri, complainant Tinku Rathore, who is a driver of truck bearing Registration No.C.G.MH 04G.R.4960 was sleeping in his truck along with complainant Anil. At that time, the applicants and co-accused Sanjay Kumar reached there and demanded money for consuming liquor from them. When the said complainants denied to give money to them,

they abused them and beat them by hands and fists and broke the front glass of truck by stone.

3. Counsel for the respective applicants submitted that the applicants are innocent and have been falsely implicated in the present case hence they may be released on bail.
4. Counsel for the State opposed the prayer for grant of bail. However, he submits that three criminal cases, out of which, two under IPC and one under CrPC have already been registered against the applicant-Ashwani Gayakwad and no criminal antecedent against the applicants namely Suraj Kumar Puraina and Tarun Sahu has been registered against them in police case diary.
5. As per MLC report of the said complainants, simple injuries were found on their bodies.
6. Looking to the above mentioned facts and circumstances of the case, the bail applications (M.Cr.C. No.1755/2019 & M.Cr.C. No.1994/2019) are allowed. It is ordered that in case, applicant-Ashwani Gayakwad furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court and applicants namely Suraj Kumar Puraina and Tarun Sahu furnish one solvent surety for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.25,000/- 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 commit any such type of offence in future.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-