

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 3188 OF 2019

1. Amir Hussain Ammu @ S/o Anbad Hussain Aged About 23 Years R/o Mehbobiya Chowk, Baijanathpara, District Raipur Chhattisgarh.
2. Krishna Bavankar S/o Mahendra Bavankar Aged About 21 Years R/o Ramayan Nagar, Kushalpur, District Raipur Chhattisgarh.

... Applicants

Versus

State of Chhattisgarh Through Station House Officer, Police Station, New Rajendra Nagar, Raipur (CG).

... Respondent

For Applicants	:	Shri Awadh Tripathi, Advocate.
For Respondent-State	:	Shri Rahul Jha, Govt. Advocate.

S.B.: Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

20.05.2019

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with crime No.143/2019 registered at Police Station New Rajendra Nagar, Raipur (CG), for the offence punishable under Section 307/34 IPC and Sections 25 and 27 of the Arms Act.
2. Case of the prosecution, in brief, is that, the applicants along with other co-accused persons Gourav Hapat and Bhaskar Rao caused grievous hurt to the complainant Vivek Chandrakar by dangerous weapons by which he suffered grievous injuries which were sufficient to cause death.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in the case. They have only caught hold of

complainant and the injury was caused by Gourav who was the main accused. They are in jail since 06.04.2019. Investigation mostly have been completed, and therefore, the applicants may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application on the ground that the applicants have caused grievous hurt to the complainant which are sufficient to cause death.
5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, the role played by the applicants and the fact that the injuries were said to have been caused by the co-accused Gourav and also considering the fact that the applicants are in jail since 06.04.2019, I am of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that on furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed, the applicants shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Vacation Judge