

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 3208 of 2019**

1. Akshyay Bharti son of late Devcharan Bharti, aged about 22 years,
2. Sangeet Madhukar son of late Chhannu Madhukar, aged about 22 years,
3. Ashim @ Battu, son of Manharan Joshi, aged about 19 years,  
R/o village Patharra, Tahsil Dhamdha, P.S. Purani Bhilai,  
District Durg (C.G.)

**---- Applicants****Versus**

- State of Chhattisgarh Through : The Station House Officer,  
Police Station Purani Bhilai, District Durg (C.G.)

**---- Respondent**


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| For Applicants | : | Shri Jitendra Gupta, Advocate. |
| For Respondent | : | Shri Arun Kumar Shukla, G.A.   |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****20/05/2019**

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.514/2019 registered at Police Station Purani Bhilai, District Durg (C.G.) for the offence punishable under Sections 294, 323, 506, 324, 325, 326 and 34 of IPC.
2. Case of the prosecution, in brief, is that applicants abused and caused grievous hurt to Mohd. Hakimuddin and his mother Noorjahan by dangerous weapon (axe) and bricks and thereby committed the offence.
3. Learned counsel appearing for the applicants submits that the applicants are innocent person and they have falsely

been implicated in the crime in question. He further submits that the applicants are in custody since 30.03.2019, the charge sheet has already been filed, no custodial interrogation is required and, therefore, the applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that grievous injuries were caused to Hakimuddin by the applicants by axe on his head as a result of which he remained hospitalized for four days.
5. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that applicants are in custody since 30.03.2019 and the charge sheet has already been filed, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
6. Accused/applicants namely Akshay Bharti, Sangeet Madhukar and Ashim @ Battu are directed to be released on bail on their executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

Certified copy, as per rules.

Sd/-

**(Sanjay K. Agrawal)**  
Vacation Judge