

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4196 of 2019

- Shahbaj Khan @ Mintu S/o Roushan Khan Aged About 25 Years R/o Ravan Bhatha Supela, Bhilai, Police Station Supela, Tahsil And District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Supela, District Durg Chhattisgarh.

---- Respondent

MCRC No. 4629 of 2019

1. Bhola Yadav S/o Late Shri Sattu Yadav Aged About 35 Years R/o Ward No. 12, Ravan Bhatha, Supela Bhilai, Tahsil and District Durg, Chhattisgarh.
2. Rafique Khan S/o Hafeez Khan Aged About 28 Years R/o Ward No. 12, Ravan Bhatha, Supela Bhilai, Tahsil and District Durg, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through District Magistrate Durg, District- Durg, Chhattisgarh.

---- Respondent

MCRC No. 4669 of 2019

- Mohammed Nawaz Khan S/o Peer Mohammed Aged About 30 Years R/o Ravan- Bhatha, Supela Bhilai, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg, District- Durg, Chhattisgarh.

---- Respondent

For Applicant (In MCRC No.4196/2019)	: Shri Lalit Jangde, Advocate.
For Applicants (In MCRC No. 4629/2019)	: Shri Manoj Mishra, Advocate.
For Applicant (in MCRC No. 4669/2019)	: Shri Manoj Mishra, Advocate

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

01/08/2019

1. Heard.
2. Since all cases arise out of same Crime No., therefore, they are being disposed of by this common order.
3. The Applicants have preferred their first bail applications under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 484/2019, registered at Police Station – Supela, Bhilai, District- Durg, (C.G.) for the offence punishable under Sections 341, 294, 506, 147, 148, 149, 279, 452, 323 of IPC.
4. In this case there are total 10 accused persons. As per the prosecution story, on 12.05.2019, complainant Kushalkant lodged a complaint alleging therein that when he alongwith his younger brother Gauravkant were returning back from Rajnandgaon to Ravanbhata Supela, by a car bearing registration no. CG 07 BR 9058, near veterinary hospital, Supela, allegedly co-accused Raju Khan by overtaking came in front of their car in a Tata Magic vehicle which he was driving very rashly and negligently. On this, when brother of the complainant shouted on him, then Raju Khan chased them and arrived to their house and committed marpit with the complainant. When brother of the complainant intervened in the matter, then he was also assaulted by him. It is further alleged that co-accused Raju Khan called other co-accused persons as well as present Applicants and entered in to the house of the complainant and assaulted his parents and other family members and threatened them by using filthy language. On the basis of the said report, offence has been registered. Applicant (in MCRC No. 4196/2019) is in jail since 11.06.2019, Applicants (in MCRC No. 4629/2019) are in jail since 13.05.2019 and Applicant (in MCRC No. 4669/2019) is in jail since

13.05.2019.

5. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. They further submit that except offence u/s 452 of IPC, all other offences are bailable. Applicant (in MCRC No. 4196/2019) is in jail since 11.06.2019, Applicants (in MCRC No. 4629/2019) are in jail since 13.05.2019 and Applicant (in MCRC No. 4669/2019) is in jail since 13.05.2019, charge-sheet has been filed, Applicants have no previous antecedents and trial is likely to take some time. Therefore, they may be released on bail.
6. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
7. I have heard learned Counsel for the parties and perused the case diary.
8. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the nature of alleged offence and the fact that Applicant (in MCRC No. 4196/2019) is in jail since 11.06.2019, Applicants (in MCRC No. 4629/2019) are in jail since 13.05.2019 and Applicant (in MCRC No. 4669/2019) is in jail since 13.05.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
9. Accordingly, the bail application is allowed.
10. 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

