

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5229 of 2019

1. Dwarika Dhruv S/o Shri Johan Dhruv Aged About 46 Years R/o Village - Dhmartikur, Nawagaon, Police Station Arjuni, District- Dhamtari Chhattisgarh
2. Dhanendra @ Sanju Dhruv S/o Shri Dwarika Dhruv, Aged About 18 Years R/o Village- Dhmartikur, Nawagaon, Police Station Arjuni, District- Dhamtari Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Arjuni District - Dhamtari Chhattisgarh

---- Non-applicant

For Applicants : Mr. Sunil Sahu, Advocate.

For Non-applicant/State : Mr. Shrikant Kaushik, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-09-2019

Heard.

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 15.07.2019 in connection with Crime No. 152/2019, registered at Police Station– Arjuni, District- Dhamtari, C.G. for offence punishable under Sections 294, 323, 506, 325, 326/34 of I.P.C.
2. It is submitted by learned counsel for the applicants that the applicants are in jail since 15.07.2019. No case is made out against these applicants. Charge-sheet has been filed after completion of investigation, hence, it is prayed that these applicants be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, these applicants had a dispute with Komal Singh Dhruv, who is the husband of the complainant, regarding the irrigation of fields because of which these applicants abused and threatened the victim and then applicant No.2 assaulted him with an axe which resulted in amputation of his little finger of right hand regarding which F.I.R. has been lodged.
6. Considering that the applicant No.2 is a young man of only 18 years of age and further the case is now pending for trial, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika