

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5870 of 2019**

1. Subhash Sahu, aged about 23 years, S/o Rajjan Sahu, R/o Dashrama Road Balodabazar, Police Station – City Kotwali, District Balodabazar – Bhatapara (C.G.).
2. Sanjay Soni, aged about 25 years, S/o Bhola Soni, R/o Dashrama Road Balodabazar, Police Station – City Kotwali, District Balodabazar – Bhatapara (C.G.).
3. Kushal Sahu, aged about 20 years, S/o Dhaniram Sahu, R/o Dashrama Road, Near Ram Sagar Pond, Balodabazar, Police Station – City Kotwali, District Balodabazar – Bhatapara (C.G.).
4. Dhananjay @ Dhannu Mandavi, aged about 37 years, S/o Lakhan Mandavi, R/o Nayapara Azad Chowk, Balodabazar, Police Station – City Kotwali, District Balodabazar – Bhatapara (C.G.).

---- Applicants**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station – City Kotwali, District Balodabazar – Bhatapara (C.G.).

---- Respondent**MCRC No. 6265 of 2019**

- Vishal Thakur, S/o Shekhar Thakur, aged about 19 years, R/o Azad Chowk, Baloda Bazar, District Balodabazar – Bhatapara (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station – City Kotwali, District Balodabazar – Bhatapara (C.G.).

---- Respondent

For Applicants	:	Shri Sakib Ahmed, Advocate in MCRC No. 5870/2019. Shri Ravindra Sharma, Advocate in MCRC No. 6265/2019.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board**

13/11/2019

1. Since the aforesaid bail applications arise out of same crime number, they are being disposed off by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.299/2019, registered at Police Station - City Kotwali, District Balodabazar - Bhatapara (C.G.) for the offence punishable under Sections 147, 148, 294, 506(B), 324, 307 IPC and Sections 25 & 27 of Arms Act.
3. The prosecution story, in brief, is that on 13.05.2019, the dispute cropped up between the complainants and applicants in which the applicants alleged to have assaulted the complainant with knife and iron punch as a result of which complainants Aditya and Tarun Sahu sustained grievous injuries. Based on this report, offence has been registered against the applicants. The applicants have been taken into custody on 16.05.2019.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. They further submit that one complainant/victim namely Aditya is absconding and his MLC has not been conducted. They also submit that the applicants are in custody since 16.05.2019, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
5. On the other hand, learned State counsel opposes the bail applications.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the totality of the facts and circumstances of the case, and further considering the fact that the applicants are in custody since 16.05.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each 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/-

(Rajani Dubey)
Judge

Pekde