

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6459 of 2019**

- Nanka @ Nandkeshwar Yadav S/o Ramprasad Aged About 50 Years R/o Village Gopalpur, Ps Rajpur, Dist. Balrampur-Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Rajpur, Dist. Balrampur- Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent**MCRC No. 6471 of 2019**

- Rajkumar Yadav S/o Basant Aged About 30 Years R/o Village Gopalpur, P.S. Rajpur, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Rajpur, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Jitendra Shrivastava, Advocate in both the bail applications
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24/10/2019**

1. As both the MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure for

releasing them on regular bail during trial in connection with Crime No.145/2019 registered at Police Station - Rajpur, District Balrampur, Ramanujganj (C.G.) for the offence punishable under Sections 147,148, 149, 323, 452 and 307 of the IPC.

3. Case of the prosecution is that on 10.6.2019, on account of land dispute, the present applicants along with other co-accused persons assaulted the victims namely- Rajmuniya Yadav, Mahesh Yadav, Sushila Yadav and Gunnu Yadav and caused injuries to them.
4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question on the basis of previous enmity. He submits the other co-accused persons have already been enlarged on bail by this Court vide order dated 3.9.2019 passed in MCRC No. 5107/2019 and connected MCRC and in MCRC No.6218/2019 vide order dated 21.10.2019. The case of the present applicant is similar to the other co-accused persons who have been enlarged on bail, therefore, the applicants may also be released on bail on the ground of parity.
5. On the other hand, counsel for the State opposes the bail applications.
6. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and the fact that other co-accused persons have already been enlarged on bail, and the applicant Nanka @

Nandkeshwar Yadav is in jail since 22.8.2019 and applicant Rajkumar Yadav is in jail since 22.6.2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the applications filed under Section 439 Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with two sureties each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge