

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9239 of 2018

- Sonu Nag S/o Kriparam Nag Aged About 18 Years R/o Sarvoday Nagar, Pachpedi Naka, Raipur District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station New Rajendra Nagar, Civil And Revenue, District Raipur Chhattisgarh

---- Respondent

AND

MCRC No. 9657 of 2018

- Sangamlal Nishad S/o Shri Chhabilal Nishad Aged About 18 Years R/o Sarvoday Nagar, Near Shitla Mandir, Pachpedhi Naka, Police Station Rajendra Nagar Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station New Rajendra Nagar District Raipur Chhattisgarh.

---- Respondent

AND

MCRC No. 9595 of 2018

- Amit Meshram S/o Shri Vishambher Meshram Aged About 19 Years R/o Sarvoday Nagar, Pachpedhi Naka, P. S. Rajendra Nagar, Raipur Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. New Rajendra Nagar, Raipur Tahsil And District Raipur Chhattisgarh

---- Respondent

For Applicant (in MCRC 9239/2018) : Ms. Sunita Sahu, Advocate
For Applicant (in MCRC 9657/2018) : Mr. Alok Pandey, Advocate
For Applicant (in MCRC 9595/2018) : Mr. Alok Pandey, Advocate
For Respondent/State : Mr. KK Dewangan, Dy. GA

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

08/01/2019

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 156/2018 registered at Police Station- New Rajendra Nagar, Distt. Raipur (C.G.) for the offence punishable under Sections 294, 323, 506, 324, 307/34 of the IPC and Section 25 & 27 of the Arms Act.
3. As per prosecution story, on 03-08-2018 at about 10:30 PM when the son of the complainant namely Vivek Yadav was returning to his home, allegedly on way near Vallabh Nagar Hostel present applicants along with other co-accused person namely Ankit Mishra met with him and due to some previous enmity they abused him thereafter Applicant Amit Meshram and Sangamlal Nishad caught hold his hands and Applicant Sonu Nag and co-accused Ankit assaulted him with a knife, due to this he sustained injuries on his chest. Report was made by the mother of the injured namely Laxmi Yadav. On the basis of said report, offence has been registered and the applicants are in custody since 09.08.2018.

4. Learned Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. They further submit that on the basis of evidence collected by the prosecution *prima facie* no case under Section 307 of the IPC can be made out against the applicants. The applicants are in custody since 09/08/2018, charge-sheet has been filed and trial will likely to take some time to conclude, therefore, the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, the evidence collected by the prosecution, further considering the fact that the applicants are in custody since 09/08/2018, charge-sheet has already been filed and trial will likely to some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.
9. 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 local solvent surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge