

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3244 of 2020

1. Kanhaiya Rai S/o Trilochan Rai Aged About 19 Years R/o Amlidih, Raipur, P.S.- New Rajendra Nagar Raipur, District- Raipur, Chhattisgarh
2. Babalu Baghel S/o Kedarnath Baghel Aged About 26 Years R/o Amlidih, Raipur, P.S.- New Rajendra Nagar Raipur, District- Raipur, Chhattisgarh
3. Birendra Jagat S/o Astami Jagat Aged About 25 Years R/o Amlidih, Raipur, P.S.- New Rajendra Nagar Raipur, District- Raipur, Chhattisgarh
4. Parmanand Deep S/o Balbhadra Deep Aged About 27 Years R/o Amlidih, Raipur, P.S.- New Rajendra Nagar Raipur, District- Raipur, Chhattisgarh
5. Vikram Bagh S/o Markandey Bagh Aged About 28 Years R/o Amlidih, Raipur, P.S.- New Rajendra Nagar Raipur, District- Raipur, Chhattisgarh
6. Prem Nihal S/o Ram Das Nihal Aged About 25 Years R/o Amlidih, Raipur, P.S.- New Rajendra Nagar Raipur, District- Raipur, Chhattisgarh

---- Applicants

Versus

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

---- Respondent

For Applicants	:	Mr. Akhand Pratap Pandey, Advocate
For Respondent/State	:	Shri Ravish Verma, G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/08/2020

Heard.

1. The applicants have been arrested in connection with Crime No.123 of 2020 registered at Police Station- New Rajendra Nagar, Raipur (CG) for the alleged commission of offence under Section 294, 147, 148, 149, 307 of IPC and Section 25, 27 of the Arms Act.
2. According to the case of the prosecution on 13.04.2020 complainant Sandeep Nag lodged FIR that when he had gone to Pradhanmantri Awasiya Parisar colony for selling vegetables, a dispute arose with Balbhadra Deep. After few hours, the present applicants along with 30-40 persons came at the

spot with rod, stick, knife and assaulted the victim with knife and stick and several injuries were caused.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. It is submitted that the applicants are in jail since 13.04.2020, there is no likelihood of their case being decided in near future, therefore, present applicants may be released on bail. It is also submitted that other co-accused, who are said to be main assailants having used knife have been granted bail by this Court in M.Cr.C. No.2500/2020 vide order dated 21.05.2020.
4. On the other hand, learned counsel for the State opposes the bail application and submits that the statement of the injured clearly involves the present applicants also in the alleged commission of offence.
5. Taking into consideration the submission of learned counsel for the parties and material on record and that the investigation is complete, charge-sheet has been filed and the trial is likely to take some time for its final disposal and that other co-accused have already been granted bail by this Court, the application is allowed.
6. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge