

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3799 of 2020**

1. Sanjay Tiwari S/o Ramesh Tiwari Aged About 38 Years R/o Dhaba Road, Tahsil And District Rajnandgaon, Chhattisgarh
2. Pramod Chokhandre S/o Rajkumar Chokhandre Aged About 28 Years R/o Juggi Jhopdi, Chikhli, Tahsil And District Rajnandgaon, Chhattisgarh
3. Vinay Kumar Tiwari S/o Rakesh Tiwari Aged About 30 Years R/o Dhaba Road, Tahsil And District Rajnandgaon, Chhattisgarh
4. Vishal Bharti S/o Prem Bharti Aged About 23 Years R/o Shanti Nagar, Tahsil And District Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station, Lalbag, District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Mr. Aditya Bharadwaj, Advocate
Mr. KK Singh, Government Advocate

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra**
Order On Board**20/08/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.167/2020

registered at Police Station Lalbag, District Rajnandgaon (CG) for the offence punishable under Sections 294, 506, 324, 327, 307, 34 of the IPC.

3. Applicant No.3 Vinay Kumar Tiwari and his brother Sanjay Tiwari (applicant No.1) broke a fight with injured Vikas Meshram, after which, Vinay Kumar Mishra struck blows over the person of the injured by means of iron punch and knife causing injuries over his chin, shoulder and parietal & frontal region.
4. Learned counsel for the applicants argued that the injured has remained in hospital only for 2 days i.e. from the evening of the date of the incident i.e. 28/4/2020 to 30/4/2020, therefore, the injuries are not serious in nature.
5. Learned counsel for the State would oppose the bail application on submission that accused Vinay Kumar Tiwari is a habitual offender.
6. It appears, the injured remained in hospital only for two days and had not sustained any bony injury. Merely because some other cases are also registered against applicant No. 3 Vinay Kumar Tiwari, there is no reason why he should be detained in this offence, if the injuries were not very serious in nature.
7. Considering the entire facts situation of the case and for the fact that all the applicants have already remained in jail from 13.5.2020 to till date i.e. for more than 3 months and the charge sheet has already been filed, this Court is inclined to

release the applicants on regular bail.

8. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them furnishing a personal bond for a sum of Rs.50,000/- with one surety each in the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

9. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge

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