

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6826 of 2019**

1. Vijay Dhritlahre, S/o Shri Sukhchand Dhritlahre, Aged About 28 Years, R/o Prem Chowk, Purani Basti, Urla, Police Station Urla, District Raipur Chhattisgarh.
2. Sumit Dhritlahre, S/o Shri Shivkumar Dhritlahre, Aged About 26 Years, R/o Prem Chowk, Purani Basti, Urla, Police Station Urla, District Raipur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through: Station House Officer, Police Of Police Station Urla, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent**with****MCRC No. 7246 of 2019**

- Chhagan Dhritlahre, S/o Shri Premdas Dhritlahre, Aged About 34 Years, R/o Prem Chowk, Purani Basti, Urla, Police Station Urla, District Raipur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh, Through: Station House Officer, Police of Police Station Urla, Raipur District Raipur Chhattisgarh

---- Respondent

For Applicants	: Mr. Rekhraj Baghel, Adv.
For Respondent/State	: Ms. Reena Singh, P.L.
For Objector	: Ms. Sunita Sahu, Adv.
	in MCRC No. 6826/2019.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.01.2020**

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

regular bail during trial in connection with Crime No. 420/2019 registered at Police Station Urla, Raipur, District- Raipur (C.G.) for the offence punishable under Section 307 r/w 34 of I.P.C.

3. The prosecution story, in brief is that, the applicants assaulted the complainant Raju Chaturvedi with lathi (stick), rod, axe and stones. It is also alleged that the applicants caused injury to the complainant because of old enmity. Thereafter, offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 19.09.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. Learned counsel for the objector appearing in MCRC No. 6826/2019 and submitting that nature of the injury is serious and dangerous to life.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that the applicants are in jail since 19.09.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed, subject to following conditions:
 - That, the applicants shall furnish a specific, undertaking that while on bail, they shall not commit any offence, otherwise bail granted to them shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required and the accused/applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her

from disclosing such facts to the Court or to any police officer.

- That, the accused/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial.
- That they will furnish a personal bond in the sum of Rs. 25,000/- each with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every dated given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**