

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6927 of 2019**

1. Mayank Linjhare S/o Vijay Kumar Aged About 20 Years, R/o Chhuriya, Tahsil And Thana Chhuriya, District Rajnandgaon, Chhattisgarh.
2. Mithlesh Dhruv S/o Vishambhar Aged About 31 Years, R/o Chhuriya, Tahsil And Thana Chhuriya, District Rajnandgaon, Chhattisgarh.

---- Applicants**Versus**

- The State Of Chhattisgarh, Through : Police Station Bagnadi, District Rajnandgaon, Chhattisgarh.

---- Respondent**MCRC No. 7731 of 2019**

- Shoaib Ali Hashmi S/o Shri Shakil Ali Hashmi Aged About 21 Years, R/o Ward No. 10, Churia Thana And Tahsil Churia, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Bagnadi District Rajnandgaon, Chhattisgarh.

---- Respondent**MCRC No. 8457 of 2019**

1. Sharvan Dhruv S/o Mallu Dhruv Aged About 29 Years, R/o Raipur, District Raipur, Chhattisgarh.
2. Toran Chaturvedi S/o Ramnath Chaturvedi Aged About 31 Years, R/o Raipur, District Raipur, Chhattisgarh.

---- Applicants**Versus**

- The State Of Chhattisgarh, Through : Police Station Bagnadi, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Samir Singh, Adv. in MCRC Nos. 6927/2019 & 8457/2019. Mr. S.S. Baghel, Adv. in MCRC No. 7731/2019.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/01/2020**

1. As all three 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. 43/2019 registered at Police Station Bagnadi, District-Rajnandgaon (C.G.) against applicants for the offence punishable under Sections 302 and 201/34 of the IPC.
3. The prosecution story, in brief is that, on 16.07.2019 at about 9:30 pm. the present applicants have assaulted to deceased namely Waseem @ Monu with the rod and wooden stick. Due to which deceased received grievous injuries and he died. The applicants left the deceased in the forest of village Khairbana. On the basis of which *marg* intimation was recorded and thereafter FIR has been lodged 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 statement of the eye witness recorded after the arrest of the applicants/accused persons and on the basis of memorandum of main accused there is no seizure from the applicants except car and mobile phone. The applicants Mayank Linjhare and Mithlesh Dhruv are in jail since 18.09.2019, applicants Sharvan Dhruv and Toran Chaturvedi are in jail since 25.10.2019, and applicant Shoaib Ali Hashmi is in jail since 24.07.2019 and, 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. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that on the basis of memorandum of main

accused there is no seizure from the applicants except car and mobile phone and applicant Shoaib Ali Hashmi is in jail since 24.07.2019, applicants Mayank Linjhare and Mithlesh Dhruv are in jail since 18.09.2019, applicants Sharvan Dhruv and Toran Chaturvedi are in jail since 25.10.2019, 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 applications are allowed.

8. Accused/applicants are directed to be released on bail on their executing 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 date given to them by the said Court.

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