

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7541 of 2019**

- Bholu @ Ghasidas Tandan, S/o Bhagwat Tandan, Aged About 19 Years, R/o Village - Khamhariya, Khairagarh, Post Office, Police Station & Tahsil - Khairagarh, District - Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through - The Station House Officer, Police Station - Khairagarh, District - Rajnandgaon, Chhattisgarh.

---- Respondent

With**MCRC No. 7654 of 2019**

1. Krishna Lahre, S/o Ramesh Lahre, Aged About 23 Years, Village Khamhariya, Khairagarh, Post Office, Police Station & Tahsil Khairagarh, District- Rajnandgaon, Chhattisgarh.
2. Raja Lahre, S/o Bhuneshwar Lahre, Aged About 18 Years, Village Khamhariya, Khairagarh, Post Office, Police Station & Tahsil Khairagarh, District- Rajnandgaon, Chhattisgarh.
3. Balram Lahre, S/o Ramesh Lahre, Aged About 18 Years, Village Khamhariya, Khairagarh, Post Office, Police Station & Tahsil Khairagarh, District- Rajnandgaon, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh, Through The Station House Officer, Police Station Khairagarh, District- Rajnandgaon, Chhattisgarh.

For Applicants	: Shri Shivendu Pandya, Adv.
For Respondent/State	: Shri B. L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.01.2020**

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. 410/2019 registered at Police Station- Khairagarh, District- Rajnandgaon (C.G.) for the offence punishable under Sections 294, 323, 506(B) & 307 of I.P.C.
3. The prosecution story, in brief is that, on 28.10.2019 at about 10:19 PM, when the father of the complainant was returning to his house and reached near the satbhihaniya talab in the incident place, then the present applicant along with other accused persons assaulted the injured Khelandas Jangde by way of hand & fist as well as stick on dispute between the old land of them. In the meanwhile, the present accused/ applicant along with other accused persons assaulted by means of stick to the injured Khelandas Jangde, thereafter, the accused/ applicant along with other accused persons run away from the spot. 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 charge-sheet has been filed. The applicants are in jail since 28.10.2019, 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. 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 and further considering the facts that The applicants are in jail since 28.10.2019 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.
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**

Ruchi