

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 975 of 2021**

1. Kaushal Yadav S/o Netram Aged About 22 Years R/o Rajkishore Nagar, Lingiadih, P.S. Sarkanda, District Bilaspur Chhattisgarh.
2. Montu Yadav Alias Satish Yadav S/o Girdhari Yadav Aged About 22 Years R/o Rajkishore Nagar, Lingiadih, Atal Awas, P.S. Sarkanda, District Bilaspur Chhattisgarh
3. Mohan Yadav Alias Prahlad Yadav S/o Sukhiram Yadav Aged About 19 Years R/o Rajkishore Nagar, Lingiadih, Atal Awas, P.S. Sarkanda, District Bilaspur Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through The Police Station Sarkanda, District Bilaspur Chhattisgarh.

---- Respondent**With****MCRC No. 2512 of 2021**

- Somu Sonkar Alias Ankit Gole S/o Ranjeet Gole Aged About 23 Years R/o Rajkishore Nagar, Lingiadih, Police Station Sarkanda, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Police Station Sarkanda, District- Bilaspur Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Manish Sharma, Advocate.
For Respondent	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.06.2021**

- Proceeding through video conferencing.
- The applicants have filed these **First Bail Applications** under Section 439 of the Code of Criminal Procedure for

grant of regular bail in connection with Crime No. 845/2019 registered at Police Station : Sarkanda, District Bilaspur (C.G.) for the offence punishable under Sections 294, 323, 506, 307, 302, 34 of the IPC and Section 25 & 27 of the Arms Act.

- The prosecution story in a nutshell is that a dispute arose between the applicants and complainants regarding the asking for side while the complainants were going for the *Lord Ganesha Visarjan*, thereafter, applicants started assaulting the complainant and her friends due to which many got injured and one Rinku Gupta died during treatment. Based on that offence has been registered against the applicants.
- Learned counsel appearing on behalf of the applicants would submit that the applicants are innocent and have been falsely implicated in the case. He would next submit that co-accused Raja Mende has already been granted bail by this Court on 25.02.2021 passed in M.Cr.C. No. 331/2021. He further added that the prosecution witnesses have not supported the prosecution case and stated nothing against the present applicants. The applicants are in custody since 17.09.2019 and they are ready to furnish adequate surety and shall abide by all the conditions and directions imposed upon them, therefore, they may be released on bail.
- Per contra, learned counsel appearing on behalf of the

State opposes the bail application.

- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, nature and gravity of the offence, as the applicants are in jail since 17.09.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- each, with one local surety for the like sum amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Vacation Judge

V/-