

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No. 919 of 2021**

1. Somnath @ Somu Agrawal S/o Late Raju Agrawal, Aged About 21 Years, R/o Ravishanakr Nagar Korba, Tehsil And District Korba, Chhattisgarh
2. Pankaj Sharma S/o Shri Ravindra Sharma, Aged About 26 Years, R/o Amraiyya Para, Tehsil And District Korba, Chhattisgarh
3. Sharad Shukla S/o Shri Suryakant Shukla, Aged About 20 Years, R/o Amraiyya Para, Tehsil And District Korba, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Chowki Rampur, Police Station Kotwali Korba, District Korba, Chhattisgarh

---- Respondent

For Applicants	:	Mr. Umakant Singh Chandel, Advocate
For State	:	Mr. Sudeep Verma, Dy. Govt. Advocate
For Objector	:	Mr. Sourabh Sahu, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/05/2021**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicants who are in jail since 07.01.2021 in connection with Crime No. 18/2021 registered at Chowki Rampur, Police Station Kotwali Korba, District Korba (CG) for the offence punishable under Sections 307, 294, 506, 34 of IPC and Sections 25 & 27 of Arms Act.

2. The case of the prosecution is that the present applicants are said to have assaulted Robin Singh, Hardeep Singh and Ram Singh by means of club, bat and knife and also used filthy language. An FIR was lodged

immediately on the same day i.e. on 03.01.2021 at around 9.30 p.m.

3. According to the applicants, the incident occurred on account of certain political rivalries that the two groups had and there was a free fight between the two groups. Counsel for the applicants submits that the nature of injury suffered by the complainant side are all simple in nature as would be evident from the documents related to the medical examination conducted on the three injured persons. He submits that considering the nature of injuries and the period of custody already undergone by the applicants i.e. for more than 4 months, they should be enlarged on bail.

4. State counsel as also counsel for the objector submits that the applicants in the present case have got past antecedents and taking into consideration their track record and the assault that the applicants have made on the injured persons, they do not deserve to be released on bail at this juncture.

5. Having heard the contentions put forth on either side and on perusal of the record, particularly taking note of the age of the applicants and the fact that they have already undergone more than 4 months of custody period and also taking note of the fact that the injuries suffered by the injured persons are simple in nature, this Court is of the opinion that prima facie, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicants will be released on bail on their furnishing a personal bond in the sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Vacation Judge