

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1501 of 2021

- Akash Sharma @ Bada Akku S/o Late Vinod Sharma, Aged About 25 Years R/o Shivaji Nagar Chandrama Chowk Khursipar, Police Station Khursipar, Durg District Durg Chhattisgarh,

---- appellant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khursipar, District Durg Chhattisgarh,

---- Respondent

MCRC No. 2152 of 2021

- Gurudev Singh @ Dhol S/o Baldev Singh Aged About 24 Years R/o Shop No. 259, Subhash Market Jone 2 Khurshipar Bhilai Tahsil District Durg Chhattisgarh.,

---- appellant

Versus

- State Of Chhattisgarh Through The Police Station Khurshipar District Durg Chhattisgarh.,

---- Respondent

For Applicants	-	Mr. Avinash Chand Sahu & Mr. A.N. Pandey, Advocates
For State	-	Mr. Rahul Jha, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.07.2021

1. These are the first bail applications filed under Section 439 of CrPC for grant of regular bail to the applicants, who have been arrested in connection with Crime No. 690/2020 registered in Police Station Khursipar, Distt. Durg (C.G.) for offence punishable under Sections 294, 323, 506, 307/34 of Indian Penal Code in MCRC No. 1501/2021 & Sections 307, 294, 506, 323/34 of Indian Penal Code in MCRC No. 2152/2021.
2. As per the prosecution case, on 14.11.2020 while Ravindra Kumar and Rahul Yadav were talking to each other, at that time Arbaz Khan, Saif Ali, Akash Sharma & Gurudev Singh came there, some altercation took place and thereafter Arbaz Khan assaulted Ravindra Kumar on his head by way of a stone which was fatal and the injury was caused in the frontal part 4x3x1 cms. which was according to the medical report.
3. Learned counsel for the applicants submit that the entire allegation is on Arbaz

Khan and these applicants were along with him and no overact has been made except some injury by hand and fist. The applicants are in jail since 23.11.2020 & 23.12.2020 respectively, chargesheet has been filed, no further investigation is necessary therefore they may be enlarged on bail.

4. Learned State counsel opposes the submission made by learned counsel for the applicants and submits that there are previous criminal antecedents of Sections 323, 294 of IPC against both the applicants.

5. Taking into consideration the nature of allegation in this case, the main allegation of assault by stone is on Arbaz Khan, the fact that chargesheet has already been filed, the applicants are in jail since 23.11.2020 & 23.12.2020 respectively and also taking into consideration the role played by the present applicants, I am inclined to release the applicants on bail. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on their furnishing personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

Judge