

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 330 of 2021**

1. Md. Jaseel, S/o Md. Jafar, Aged About 24 Years, R/o Aazad Mohalla Kunkuri Police Station Kunkuri District Jashpur Chhattisgarh.
2. Md. Sameer, S/o Md. Sajjad, Aged About 26 Years, R/o Aazad Mohalla Kunkuri Police Station Kunkuri District Jashpur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Kunkuri District Jashpur Chhattisgarh.

---- Respondent

For Applicants : Mr. Syed Ishhadil Ali, Advocate
For Respondent/State : Mr. B.P. Banjare, Dy. G.A.
For Complainant : Mr. Ajay Kumrani, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.06.2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicants who are apprehending their arrest in connection with Crime No. 114/2020 registered at Police Station- Kunkuri District Jashpur (C.G.) for commission of the offence punishable under Sections 294, 506, 323, 324, 452, 427, 34 of IPC.
3. Case of the prosecution is that, it has been alleged that present applicants entered the shop of the complainant and abused the complainant in filthy language and also assaulted him with knife, belt and stick due to which he sustained injuries. Based on this, offence was registered

against the present applicants.

4. Learned counsels for the applicants submit that the present applicants are innocent and have been falsely implicated in this case. He further submits that injuries sustained by the complainant are simple in nature and were never inflicted by the present applicants. He next added that compromise is also going on between the parties, therefore, the present applicants may be granted anticipatory bail.
5. On the other hand, counsel for the State however opposes the application for anticipatory bail.
6. Mr. Ajay Kumrani, learned counsel for the complainant has no objection, if applicants be released on anticipatory bail.
7. After hearing counsel for the parties and considering the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicants in connection with aforesaid crime number, they shall be released on bail on their furnishing a personal bond in the sum of Rs. 25,000/- each with one local surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicants shall make themselves available for interrogation before the concerned investigating officer as and when required.
 - (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and

- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

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

Ruchi