

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1372 of 2021

Jaiprakash S/o Hasatram Khandelwal Cost Satnami Aged About 20 Years Occupation Student R/o Puraina Police Station And Tahsil Kharsia District Raigarh Chhattisgarh. **---- Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Bhupdevpur, District Raigarh Chhattisgarh. **---- Respondent**

MCRC No. 2362 of 2021

1. Vishesh Das @ Nanu S/o Ramdas Aged About 33 Years R/o Village- Thakurdiya F.C.I Godam Ke Pichhe Ward No. 18, Tehsil And Thana- Kharsia, District- Raigarh, Chhattisgarh.
2. Krishna Lahre @ Chandraprakash Ratre S/o Punriram Aged About 31 Years Tulsidih, P.S. Dabhra, District- Janjgir Champa, Chhattisgarh, Pre Add. Rakshapali, P. S.- Bhupdeopur, District- Raigarh, Chhattisgarh **---- Applicants**

Versus

State Of Chhattisgarh Through, Police Station- Bhupdeopur, District- Raigarh, Chhattisgarh **---- Respondent**

For applicants - Shri Manoj Kumar Jaiswal and Shri Sanjay Agrawal, Advocate.

For Respondent/State – Shri Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/07/2021

1. Both these bail applications are decided by this common order as they are arising out of the same crime number.
2. The applicants have preferred these applications for grant of bail as they are arrested in connection with Crime No.187/2020 registered in Police Station Bhupdevpur, District Raigarh (C.G.) for offence punishable under sections 452, 294, 506, 323, 307, 427/34 of Indian Penal Code and u/s 25, 27 of Arms Act.
3. As per the prosecution case, on a certain dispute the applicants alongwith others entered into the house of Mahesh Kumar and assaulted him initially on 14/12/2020, subsequently again came back on 15/12/2020 and thereafter assaulted Mahesh Kumar. Report was made by the wife

Parvati Kewat.

4. Learned counsel for the applicants submits that entire allegation of assault is on Krishna Lahre @ Chandraprakash Ratre and in respect of Vishesh Das @ Nanu and Jaiprakash no serious allegations have been attributed, therefore they may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail and read out the statement of Mahesh Kumar Kewat as also the injury report.

6. Considering the statement of Mahesh Kumar since prima facie it appears that main allegation of assault is attributed to Krishna Lahre @ Chandraprakash Ratre applicant No.2 in M.Cr.C. No.2362/2021, I am not inclined release Krishna Lahre @ Chandraprakash Ratre on bail.

7. Accordingly bail application in respect of Krishna Lahre @ Chandraprakash Ratre applicant No.2 in M.Cr.C. No.2362/2021 is rejected.

8. However, in respect of Vishesh Das @ Nanu applicant No.1 in M.Cr.C. No.2362/2021 and Jaiprakash applicant in M.Cr.C. No.1372/2021, taking into nature of injury and the role played by them, I am inclined to release Vishesh Das @ Nanu applicant No.1 in M.Cr.C. No.2362/2021 and Jaiprakash applicant in M.Cr.C. No.1372/2021 on bail.

9. Accordingly, bail application in respect of **Vishesh Das @ Nanu** applicant No.1 in M.Cr.C. No.2362/2021 and **Jaiprakash** applicant in M.Cr.C. No.1372/2021 are allowed and it is directed that **Vishesh Das @ Nanu** and **Jaiprakash** shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- 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