

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3446 of 2021**

- Ravindra Kumar Singh, S/o Late Pratap, aged about 21 Years, R/o Village Joor (Manjhipara), Police Station Chowki Basdei, Thana Surajpur, District Surajpur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Chowki Basdei, Thana Surajpur, District Surajpur, Chhattisgarh.

----Non-applicant

MCRC No. 5269 of 2021

1. Vijendra Kumar Singh, S/o Chatrasai, aged about 33 Years,
2. Satish Kumar Singh, S/o Ram Prasad Singh, aged about 30 Years,

Both are R/o Village Joor (Manjhipara) Chowki Basdai, Police Station- Surajpur, District- Surajpur, Chhattisgarh.

----Applicants

Versus

- State of Chhattisgarh, Through Chowki Basti, Police Station- Surajpur, District- Surajpur, Chhattisgarh.

----Non-applicant

MCRC No. 5528 of 2021

- Lalau Singh, S/o Late Balsai Singh, aged about 60 Years, R/o Village Joor (Manjhipara) Chowki, Basdei, P.S. Surajpur District Surajpur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Chowki Basdei, P.S. Surajpur, District Surajpur, Chhattisgarh.

----Non-applicant

For Applicants Ms. Indira Tripathi and Mr. Maneesh Sharma,
Advocates for the respective applicants.

For State Dr. (Ms.) Veena Nair, Deputy A.G.

Hon'ble Shri Justice Gautam Chourdiya 
Order on Board

12/08/2021

1. As all these applications filed under Section 439 of Cr.P.C. arise out of the same Crime No.11/2021 registered at Police Station Surajpur, District Surajpur, C.G. for the offence punishable under Sections 147, 149, 302 of Indian Penal Code, they are being disposed of by this common order.

2. Case of the prosecution, in brief, is that on 06.01.2021 at about 6:30 pm, applicants in association with other co-accused persons assaulted upon one Manish Soni (deceased) by means of club, as a result of which Manish Soni sustained injuries on his head, back and neck and succumbed to the same. On report being lodged to the above effect, offence under the aforesaid Sections have been registered against the accused persons.

3. Learned counsel for the applicants submit that applicants are innocent persons and have been falsely implicated in this case. They submit that applicants have not played any role in alleged offence and there is no direct proof of their involvement in the alleged crime. The applicants are in jail since 07.01.2021, charge sheet has already been filed and conclusion

of trial is likely to take some time. Therefore, the applicants be released on bail.

4. On the other hand, learned counsel for the State opposes the bail applications.

5. Heard learned counsel for the parties.

6. Considering the facts and circumstances of the case, the gravity of the offence, further considering the fact that prompt and named FIR was lodged against the applicants and other co-accused persons stating about the role of the applicants and other co-accused persons in commission of the offence, the postmortem report also confirms the death of the deceased by strangulation and the number of injuries sustained by him on his body, the memorandum statements of the applicants, the dying declaration made by the deceased before the complainant, the material so far collected against the applicants, without commenting anything on merits of the case, I am not inclined to release the applicants on bail.

7. Accordingly, all the applications stand rejected.

Sd/-
Gautam Chourdiya
Judge