

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7175 of 2020**

- Vikas Jangde son of Dhanesh Jangde, aged about 21 years, Resident of Mini Basti Jarhabhatha, Bilaspur, Tahsil and District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, through Police Station – Civil Line Bilaspur, District Bilaspur (C.G.)

---- State/Non-applicant**M.Cr.C. No. 8389 of 2020**

- Sanju Tandon son of Bundru Tandon, aged about 24 years, Resident of Mini Basti Jarhabhatha, Bilaspur, Tahsil and District - Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through Police Station - Civil Line Bilaspur, District Bilaspur (C.G.)

---- State/Non-applicant**And****M.Cr.C. No. 8439 of 2020**

- Golu @ Guru Tandan, son of Bundaru Tandan, aged about 25 years, resident of Mini Basti Jarhabhata, Police Station Civil Line, Tehsil and District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : Station House Officer, Police Station Civil Line, Bilaspur, District Bilaspur (C.G.)

---- State/Non-applicant

For Applicants	:	Shri Vikas Pandey, Advocate, appears in M.Cr.C. No. 7175/2020 & M.Cr.C. No. 8389/2020
For Applicant	:	Shri U.K.S. Chandel, Advocate appears in M.Cr.C. No. 8439/2020
For Non-Applicant/State	:	Shri Anil Tripathi, Panel Lawyer appears in all the applications

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****25.02.2021**

1. M.Cr.C. No. 8389 of 2020:
Admit.
2. As all the above first bail applications under Section 439 of Cr.P.C. preferred

by the applicants arise out of the same Crime No. 527/2020 registered in Police Station- Civil Line Bilaspur, District Bilaspur (CG) for the offence punishable under Sections 307, 294, 323, 324, 506, 450 & read with 34 of IPC and Sections 25 & 27 of Arms Act against applicants Vikas Jangde & Sanju Tandan, and offence under Sections 307, 294, 323, 324, 506, 450, 147, 148, 149 & read with 34 of IPC and Sections 25 & 27 of Arms Act against applicant Golu @ Guru Tandan, they are being disposed of by this common order.

3. Prosecution story, in brief, is that all the above applicants alongwith their companion entered the house of the complainant armed with deadly weapon and committed *marpeet* with the complainant's nephew Anshu as the complainant had filed complaint against the applicants in connection with business of contraband articles running in the area. Based on this, the offence has been registered. The present applicants have been taken into custody on 26.07.2020, 27.07.2020 & 18.10.2020.
4. Leaned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in this crime in question. They further submit that co-accused namely Dharmendra Gendle has been granted regular bail by the co-ordinate bench of this Court vide order dated 18.02.2021 passed in M.Cr.C. No. 8117 of 2020. They also submit that the applicants are in jail since 26.07.2020, 27.07.2020 & 18.10.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail applications and the submission made in this respect. It is submitted that the offence committed by the present applicants is of serious in nature, therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the record.

7. Having regard to the facts and circumstances of the case, looking to the nature of injury sustained by the complainant, the co-accused in this case has already been granted regular bail by the co-ordinate bench of this Court, the detention period of the applicants, charge-sheet has already been filed and conclusion of the trial is likely to take some time, there is no apprehension of the applicants tampering with the evidence or absconding, without expressing any opinion on merits of the case, the bail applications are allowed.
8. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.25,000/- with one local surety each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-
- i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
 - ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - iv. they shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.
9. In the result, M.Cr.C. No. 7175 of 2020, M.Cr.C. No. 8389 of 2020 and M.Cr.C. No. 8439 of 2020 are allowed on the above terms and conditions.

Sd/-
(Gautam Chourdiya)
Judge