

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7182 of 2021**

- Wajid Khan, S/o Shri Saiyyad Hamid, Aged About 35 Years, R/o Kabir Ward Daupara, P.S. City Kotwali, Mungeli, District Mungeli (Chhattisgarh).

---- Applicant**Versus**

- State of Chhattisgarh Through- S.H.O. P.S. City Kotwali, Mungeli, District - Mungeli (Chhattisgarh).

---- Respondent**And****MCRC No. 7329 of 2021**

- Shaikh Sajid Manihar Khan, S/o Shri Shikh Majid Manihar, Aged About 32 Years, R/o - Daupara, Pandit Dindayal Ward, Mungeli, Distt.- Mungeli (Chhattisgarh).

---- Applicant**Versus**

- State of Chhattisgarh Through - S.H.O. P.S.-City Kotwali Mungeli, Distt.- Mungeli (Chhattisgarh).

---- Respondent

For Applicants	: Mr. Ishan Verma, Adv. in MCRC No. 7182/2021 Mr. Ravindra Sharma, Adv. in MCRC No. 7329/2021
For Respondent/State	: Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.10.2021**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved first bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 476/2021 registered at Police Station- City Kotwali Mungeli, District- Mungeli (C.G.) for the offence punishable under Sections 294, 323, 506,

307, 34 of IPC & Section 25, 27 of Arms Act.

3. The prosecution story, in brief is that, it has been alleged that applicant along with other co-accused inflicted knife injuries to the complainant and assaulted him due to which, complainant sustained injuries. Thereafter, offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the injuries sustained by the complainant is simple in nature and charge-sheet has already been filed. He next added that no specific allegation has been alleged against the applicants. The applicants are in jail since 01.09.2021, 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 application and submits that the injuries sustained by the complainant is grievous in nature and in absence of proper treatment, it may cause death. Therefore, applicants may not be enlarged on bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that charge-sheet has been filed the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

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