

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6649 of 2021

- Mukesh Sen, S/o Late Omprakash Sen, Aged About 20 Years, which has not mentioned in the order annexure A-1, R/o Jagannath Nagar, Naharpara, Satnami Para Kota, Police Station Saraswati Nagar, Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer, Police Station Saraswati Nagar, Raipur, District- Raipur, Chhattisgarh.

---- Non-Applicant

MCRC No. 7301 of 2021

- Sachin Rangare, S/o Shri Sunil Rangare, Aged About 25 Years, R/o Jaggannath Chowk Kota, P.S. Saraswati Nagar, District : Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through- Police Station Saraswati Nagar, Raipur, Chhattisgarh.

---- Non-Applicant

For Applicants : Shri S.P. Sahu & Shri Ajay Mishra,
Advocates

For Non-Applicant/State : Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

10.11.2021

- 1) Since both these cases arise out of same crime number, they are being disposed of by this common order.
- 2) MCRC No. 6649 of 2021 is the First Bail Application under Section 439 of CrPC by the applicant Mukesh Sen whereas MCRC No. 7301 of 2021 is the Second Bail Application of applicant Sachin Rangare, his first bail application being MCRC No. 1051/2021 was dismissed as withdrawn with liberty to file afresh as and when occasion arises. The applicants have been arrested on 03.07.2020 in connection with Crime No. 63/2020 registered at Police Station- Saraswati Nagar, Raipur (C.G.) for the offence punishable under Sections 294, 323, 506, 302/34 of

IPC.

- 3) Case of the prosecution, in brief, is that on 30.06.2020 at about 22.30 hrs. they alongwith co-accused Monty due to old enmity filthily abused victim Jitendra Kotle @ Ishwar Kotle and brutally assaulted him with hands, fists and legs. Immediately after the incident the victim was taken to hospital where during the course of treatment he died on 15.07.2020. On report being lodged to the above effect by the complainant Santanu Khutiyare the aforesaid offence has been registered against the accused persons.
- 4) Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. Learned counsel for the applicants further submits that applicants have no criminal antecedents. Charge-sheet has already been filed, there is no likelihood of the their tampering with the prosecution evidence or absconding and they are in jail since 03.07.2020 and trial is likely to take some time for disposal. Therefore, the applicants be released on bail by this Court.
- 5) On the other hand, learned counsel for the Non-applicant/State vehemently opposes the bail applications.
- 6) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of allegation made against the present applicants, number of witnesses have been examined, the trial is in progress and other material available on record, without commenting anything on merits of the case, the applications are dismissed.

Sd/-
(Gautam Chourdiya)
Judge