

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7530 of 2021**

- Deepak Choudhary Alias Deepak Jaiswal S/o Late Sita Ram Jaiswal Aged About 28 Years R/o Laxmipur Bilaspur Road, Ambikapur, P.S. Kotwali Ambikapur, Police Outpost Manipur, District- Surguja (C.G.)
---- Applicant

Versus

- State Of Chhattisgarh Through- The Police Station Ambikapur, District- Surguja (C.G.)

---- Non Applicant

MCRC No. 7567 of 2021

- Pankaj Pathak Alias Tinku S/o Shr. Ganesh Pathak Aged About 29 Years R/o Mathpara, Ambikapur, Police Station- Kotwali Ambikapur, Police Outpost- Manipur, District- Surguja, Chhattisgarh.
---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Ambikapur, District- Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
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---- Non Applicant

MCRC No. 7575 of 2021

- Suraj Gupta S/o Late Shiv Shankar Gupta Aged About 31 Years Resident Of Bilaspur Chowk, Ambikapur, Police Station Kotwali Ambikapur , Police Outpost Manipur, District Surguja Chhattisgarh.
---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Ambikapur District Surguja Chhattisgarh.

---- Non Applicant

For Applicants : Shri V. K. Pandey, Advocate

For Non Applicant/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Shri Justice Narendra Kumar Vyas
Order On Board

26.10.2021

1. Since all the aforesaid cases arise out of same Crime No.929/2020, they are heard analogously and are being disposed of by this common order.
2. The applicants have preferred these first bail applications under Section 439 of CrPC for grant of regular bail as they have been

arrested and are in jail since 05.07.2021 in connection with Crime No.929/2020 registered at Police Station- Ambikapur, District- Surguja (C.G.) for the offence punishable under Section 307/34 of IPC.

3. The case of prosecution in brief, is that on 30.12.2020 at about 8:00 pm in the night when the complainant Raju Sharma was in his house, the present accused persons namely Deepak Choudhary @ Deepak Jaiswal, Pankaj Pathak @ Tinku and Suraj Gupta shouted in drunken condition in front of his house, and when the complainant has tried to restrict them, they left the place of occurrence. Thereafter, they assaulted the complainant, as a result of which he sustained injuries. Thereafter, a report was lodged against the accused in police station on the basis of which police registered the FIR and offence under Section 307/34 of the IPC has been registered against them.
4. Learned counsel for the applicants would submit that applicants have been falsely implicated in this case. He would further submit that as per MLC report the injury found on complainant is simple in nature. He would further submit that the complainant has been discharged immediately from the hospital after getting preliminary treatment. He would further submit that applicants are in jail since 05.07.2021, charge sheet has been filed and conclusion of the trial likely to take some time, therefore, they may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, nature of injuries sustained by the complainant and the fact that applicants are in jail since 05.07.2021, there is no likelihood of the applicants tampering with evidence or absconding and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the view that these are fit cases to grant bail to the applicants.
8. Accordingly, the bail applications filed by applicants are allowed and it is directed that applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.50,000/- with two solvent

sureties of Rs.25,000/-each for the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial Court on each and every date given by the said trial Court, till disposal of the trial.

9. It is made clear that applicants shall not involve themselves in any offence of similar nature in future, otherwise bail granted to them shall be liable to be cancelled without further reference to the Bench.
10. Certified copy as per rules.

Sd/-

(Narendra Kumar Vyas)

Judge

Parul