

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7460 of 2021**

- Nandkumar Sinha S/o Late Dhan Singh Sinha Aged About 48 Years R/o Village Khartuli, Police Station - Arjuni, Tahsil And District Dhamtari (Chhattisgarh) (Nandkumar @ Thalendra Sinha Wrongly Mentioned In Rejection Order)

---- Applicant

Versus

- The State Of Chhattisgarh Through The Police Station Arjuni, Civil And Revenue District Dhamtari (Chhattisgarh)s

---- Non-Applicant

MCRC No. 7467 of 2021

- Daulal Sinha S/o Late Dhan Singh Sinha Aged About 58 Years R/o Village Khartuli, Police Station Arjuni, Tahsil And District Dhamtari Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through The Police Station Arjuni, Civil And Revenue District Dhamtari Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Punit Ruparel, Advocate.
For Non-Applicant : Shri Vikram Sharma, Deputy GA.

Hon'ble Shri Prashant Kumar Mishra, Ag CJ**Order On Board****29/09/2021 :**

1. The aforesaid MCrCs are being disposed of by this common order as they arise out of Crime No.516/2020 registered in Police Station Arjuni,

District Dhamtari for offence under Sections 147, 148, 294, 323, 506, 307/34 of the IPC.

2. These are the 2nd bail applications on behalf of the applicants.
3. On a dispute concerning possession over agricultural land, the present applicants along with co-accused Ku. Kiran Sinha, Smt. Kirtibai Sinha and Aman Sinha assaulted the injured Suresh Sinha and Nandini Bai by means of knife and axe causing injuries over different parts of the body. Out of 3 injuries sustained by Suresh Sinha, one is abrasion and the other two are lacerated wounds. The second injury over back side of head is said to be grievous but there is no indication that it was dangerous to life. Likewise, the only injury suffered by injured Nandini Bai is reported to be simple in nature.
4. Learned State Counsel would oppose the prayer for grant of bail. He would submit that both the applicants have been proceeded under Preventive Detention Law under Section 107/116 CrPC on different occasions, therefore, they are not entitled to be released on bail.
5. Considering that the applicants are in jail since 21.6.2021 i.e. for more than 3 months and charge sheet has already been filed, as also for the reason that initially the offence was registered, amongst others, under Section 326 of the IPC, which was later on converted into offence under Section 307/34 of the IPC, I am inclined to release the applicants on bail.
6. Accordingly, the applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice