

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7926 of 2020

Harichand Banjare S/o Late Shri Ajeet Banjare Aged About 40 Years R/o Sambalpuri, Police Station Belha, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through In-Charge, Police Station Belha, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 321 of 2021

1. Jagtaran Banjare S/o Shri Kunjram Banjare Aged About 42 Years R/o Village Sambalpuri P.S. Belha, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Rajkumar Kurre S/o Shri Mohitram Kurre Aged About 29 Years R/o Village Mohtara P.S. And Tahsil Masturi District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Belha, Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 8252 of 2020

Hirachand Banjare S/o Late Shri Ajeet Banjare Aged About 50 Years R/o- Sambalpuri, P.S.- Belha, District- Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Officer In Charge, P.S.- Belha, District- Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Dheerendra Pandey Advocate
For State	:	Shri Mateen Siddiqui, Dy. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/01/2021

Heard.

1. These bail applications are disposed off by this common order as they all arise out of same crime number.
2. The applicants are arrested in connection with Crime No.178/2020 registered in Police Station- Bilha, District- Bilaspur (CG) for alleged commission of offence under Sections 147, 148, 149, 294, 506-B, 323, 307 IPC.
3. At the outset, learned counsel for the applicants seeks to withdraw bail application on behalf of applicant- Jagtaran Banjare (applicant in MCRC No.321 of 2021) with liberty to revive at an appropriate stage.
4. Accordingly, with the liberty as prayed for, bail application on behalf of applicant – **Jagtaran Banjare** is dismissed as withdrawn.
5. Case of the prosecution, in brief, is that the applicants Harichand Banjare, Hirachand Banjare and Rajkumar Kurre and other accused assaulted the victim with intention to cause his death resulted in multiple injuries.
6. Learned counsel for the applicants would submit that the allegation against the applicants are false and exaggerated. He submits that there is old standing animosity between the complainant-victim and Rajesh and at the instance of Rajesh, the present applicants have been involved. Learned counsel for the applicants submits that there is only one incised wound said to have been caused by sharp object which has been recovered from the possession of other accused and not from these applicants. He submits that investigation is complete, charge sheet has been filed, therefore at this stage,

applicants may be enlarged on bail.

7. On the other hand, learned counsel for the State opposed the bail application by submitting that according to injured witnesses, the applicants and other accused assaulted the victim with weapons and the manner in which the assault was laid, prima facie case of intention to commit murder is made out.
8. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration the nature of injury and the weapons allegedly used by the present applicants and that allegation of using sharp edged weapon is on the other accused and that investigation is complete, charge sheet has been filed, I am inclined to grant bail to the applicants.
9. The applications are accordingly allowed and it is directed that applicants- **Harichand Banjare, Hirachand Banjare and Rajkumar Kurre** shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge