

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8577 of 2020**

1. Wasim S/o Mod. Salim Aged About 20 Years Resident of Chantidih, Police Station Sarkanda, District: Bilaspur, Chhattisgarh.
2. Azhar S/o Mansoor Ansari Aged About 22 Years Resident of Pathan Mohalla Chantidih, Police Station Sarkanda, District: Bilaspur, Chhattisgarh.

---- Applicants**Versus**

1. State of Chhattisgarh, Through: The Station House Officer, Police Station Sarkanda, District Bilaspur, Chhattisgarh.

---- Respondent**MCRC No. 9131 of 2020**

1. Sadab Quraishi S/o Fareed Quraishi Aged About 24 Years R/o Pathan Mohalla Chantidih, P.S. Sarkanda, District: Bilaspur, Chhattisgarh.

---- Applicant**Versus**

1. State of Chhattisgarh Through In- Charge Police Station: Sarkanda, District: Bilaspur Chhattisgarh.

---- Respondent

For respective Applicants - Shri Umakant Singh Chandel and Shri Hemant Kumar Agrawal, Advocates

For Respondent/State - Shri Alok Nigam Government Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

24/02/2021

1. Heard.
2. The applicants have preferred these applications under Section 439 of the Cr.P.C., as they are arrested in connection with Crime Nos.864/2020 registered at Police Station: Sarkanda, District- Bilaspur (C.G.) for the offence punishable under Sections 147, 148, 294, 506, 341, and 307 of the Indian Penal Code.
3. In an incident which occurred in the evening of 16-09-2020, accused Mohammad Wasim and Azhar caught hold of the injured, after which Sahil stabbed on the person of the injured through a knife which stucked in his body which was taken out later on.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Although, applicant Sadab Quraishi was present at the place of occurrence but he has neither caught hold of the injured nor inflicted injury, therefore, Sadab is entitled to be released on bail.
6. Accordingly, the bail application is allowed and the applicant (Sadab) in MCRC No.9131 of 2020 is directed to be released on bail on his 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. He is directed to appear before the trial Court on each and every date given by the said Court.

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1. Applicants Wasim and Azhar in MCRC No.8577 of 2020 have taken active part in the incident, therefore, they are not entitled to be released on bail at this stage.
2. Accordingly, their bail application is rejected with liberty to revive the prayer after examination of the victim.

SD/-

(Prashant Kumar Mishra)
Judge

Amardeep