

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8735 of 2020**

1. Rahul Yadav S/o Mohan Yadav Aged About 20 Years,
2. Mohan Yadav S/o Nabhdhan Yadav Aged About 55 Years

Both R/o Kundrapar Ruwabandha, Bhilai Nagar, Tahsil And District Durg, Chhattisgarh (Details Of The Applicants Are Not Mentioned In The Certified Copy Of The Order)

---- Applicants**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Bhilai Nagar, District Durg, Chhattisgarh

---- Respondent

For Applicants	:-	Mr. T.K. Jha, Advocate
For Respondent-State	:-	Mr. Arijit Tiwari, PL

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

01/03/2021

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.351/2020, registered at Police Station Bhilai Nagar District Durg C.G., for the offence punishable under Section 307, 34 of the I.P.C.
2. In a dispute occurred at about 5:30 pm on 13.9.2020, the applicants allegedly assaulted injured Shoaib and Santosh by means of club, although in diary statement recorded at a later point of time they have improved the version by

alleging that the assault was made by means of club and iron rod as well.

3. Case diary indicates that Shoaib who has sustained grievous injuries was initially treated at private hospital namely; HI-TEK Super Specialty Hospital, Bhilai where injury is mentioned as "head injury". In a subsequent medical examination injuries were found to be in the nature of sutured wound over right temporal region. The other injured Santosh has sustained simple injuries.
4. Learned State counsel would oppose the prayer for grant of bail.
5. On FIR lodged by present applicants, a crime has also been registered against the injured persons. The present applicants are in jail since 3.10.2020 and the charge sheet has already been filed, therefore, considering the entire fact situation of the case, I am inclined to release the applicants on bail.
6. Accordingly, the application is 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)
Judge