

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.8528 of 2020**

- Tiratho Sona S/o Kartik Sona Aged About 23 Years R/o B.S.U.P. Colony, Rajendra Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station New Rajendra Nagar, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

MCRC No.9092 of 2020

- Inder Mahanand S/o Bhukusobo Mahanand Aged About 25 Years R/o Ward No. 32, Aman Nagar , Awanti Vihar, Police Station Khamhardih, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station New Rajendra Nagar Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicants: Shri Badruddin Khan and Shri Dashrath Kushwaha, Advocate
For Respondent/State: Shri Pravin Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/01/2021**

Heard.

1. By this common order, the bail applications (M.Cr.C.Nos.8528 & 9092 of 2020) are being finally disposed off as the aforesaid two bail applications arise out of same crime number-201 of 2020, registered at Police Station New Rajendra Nagar, District Raipur for the offences punishable under Sections 147, 148, 149, 307 of IPC and Section 25 & 27 of the Arms Act.
2. Case of the prosecution is that on 03-08-2020 at about 06.30 PM, when Harpal @ Bhola, Kishore along with three other persons were sitting near the pond, the applicant and the other accused started quarreling and in the said incident, Gopi assaulted Kishore and Kaldhar Bagh with the help of knife. The applicant and the other

co-accused are said to be involved in the incident on the ground of quarrel and cause injury on the injured person.

3. Learned counsel appearing for the respective applicant submitted that in the present case, even according to the prosecution, main allegation is against Gopi Kshatriya, who is alleged to have assaulted Kishore and Kaldhar Bagh by knife, has been granted bail by this Court vide order dated 09-12-2020 in M.Cr.C.No.6945 of 2020 and therefore, at this stage, when investigation is complete, charge sheet has been filed and that the applicants are in jail since 03-08-2020 & 04-08-2020, the applicants may be granted bail.

4. Learned counsel for the State/non-applicant opposes the bail application by submitting that in view of the statement of eye-witness of injured person, prima facie case is made out against the applicants.

5. Taking into consideration the role alleged to have played by the applicants, particularly taking into consideration that the allegation of assault of knife on Kishore and Kaldhar Bagh is on the accused-Gopi Kshatriya, who has been granted bail by this Court vide order dated 09-12-2020 in M.Cr.C.No.6945 of 2020, both the applications (M.Cr.C.Nos.8528 & 9092 of 2020) are allowed. It is directed that the applicant in aforesaid two bail applications shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with two local surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
J U D G E