

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 8938 of 2020

1. Smt. Rajkumari Ghrilahre, W/o Panna Lal, aged about 38 years
2. Smt. Santkumari, W/o Vijay, aged about 32 years
3. Priyanka Ghrilahre, D/o Panna Lal, aged about 18 years

All R/o Jarhabhata, Ward No. 7, Mini Basti, Thana Civil Line, District Bilaspur (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, through Police Station – Civil Line, Bilaspur (C.G.)

---- State/Respondent

M.Cr.C. No. 9064 of 2020

- Raju Banjare, S/o Kumar Banjare, aged about 31 years, R/o Mini Basti, Gurughasidas Nagar, Jarhabhata, Thana Civil Line, District Bilaspur

---- Applicant

Versus

- State of Chhattisgarh, through Police Station – Civil Line, Bilaspur (C.G.)

---- State/Respondent

And

M.Cr.C. No. 131 of 2021

- Devanand Banjare S/o Kumar Banjare, aged about 28 years, R/o Gurughasidas Nagar, Jarhabhata, Police Station – Civil Line, District - Bilaspur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – Station House Officer, Police Station – Civil Lines, District Bilaspur (C.G.)

---- State/Non-applicant

For Applicants	:	Ms. Laxmeen Kashyap, Advocate appears in M.Cr.C. No. 8938/2020 & M.Cr.C. No. 9064/2020
For Applicant	:	Shri Dharmesh Shrivastava, Advocate appears in M.Cr.C. No. 131/2021
For Non-Applicant/State	:	Shri Dinesh Kumar Tiwari, Deputy Government Advocate appears in all the applications

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

18.02.2021

1. As all the above first bail applications under Section 439 of Cr.P.C. preferred by the applicants arise out of the same Crime No. 770/2020 registered in Police Station- Civil Line, Bilaspur (CG) for the offence punishable under Sections 147, 148, 149, 307, 323, 427 & 452 of IPC, they are being disposed of by this common order.
2. Prosecution case in brief is that complainant Vinay Dhritlahre lodged a report that on 30.10.2020 at about 09:00 pm, Anshul Banjare who is son of his brother-in-law and Shantanu who is nephew of Deva Banjare (nephew of applicant in M.Cr.C. No. 131/2021) were quarelling. During the aforesaid quarrel, in furtherance of their common intention all the above applicants and others assaulted the complainant party by means of iron-rods and clubs as a result of which complainant, his sister & brother-in-law sustained injuries on their bodies. There is also counter F.I.R. lodged under the same Sections of IPC on the same day by the accused party bearing Crime No. 771/2020 in the same Police Station against the complainant party. It is stated that in the said crime number i.e. 771/2020, the complainant party have been granted bail by the trial Court.
3. Learned counsel for the applicants submit that the applicants have been falsely implicated in this crime, they are languishing in jail since 30.10.2020, charge-sheet has been filed and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail applications.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, looking to the injuries sustained by the complainant party/victims, there is counter F.I.R. lodged under the same

Sections of IPC by applicant Rajkumari against the complainant party in which they have already been released on bail by the trial Court, dispute arose between the parties over trivial issue of quarrel between their children, the detention period of the present applicants, charge-sheet has already been filed, conclusion of the trial is likely to take some time, and that there is no apprehension of the applicants tampering with the evidence or absconding, without expressing any opinion on merits of the case, all the applications are allowed.

6. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

- i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- iv. they shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

7. In the result, M.Cr.C. No. 8938 of 2020; M.Cr.C. No. 9064 of 2020 and M.Cr.C. No. 131 of 2021 are allowed on the above terms and conditions.

Sd/-
(Gautam Chourdiya)
Judge