

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8243 of 2018

1. Suresh Yadav S/o Indrajeet Singh Yadav Aged About 30 Years R/o Hemunagar, Police Station- Torwa, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Nizam Bakshi S/o Azizuddin Bakshi Aged About 38 Years R/o Ganesh Nagar, Police Station- Sirgitti, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station- Tarbahar, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---Respondent

 For Applicants : Shri P.K. Tulsyan, Advocate
 For Respondent/State : Shri Vivek Sharma, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

31.10.2018

1. Heard the matter finally.
2. This 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.324/2018, registered at Police Station Tarbahar, District Bilaspur(CG) for the offence punishable under Sections 294, 323, 506 Part II, 327/34 of the IPC.
3. As per the case of prosecution, the applicants and other co-accused persons stopped the complainant and demanded money for purchasing liquor and on being denied, they assaulted him.

4. Learned counsel for the applicants submits that the applicants are in jail since 6.10.2018; trial will take some time and there is presumption of innocence of the applicants unless charges are proved, therefore, the applicants may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Perused the entire material available on record.

7. Considering the facts and circumstances of the case and the fact that the offences are triable by Judicial Magistrate First Class and trial will take some time, I am inclined to release the applicants on bail.

8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

9. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

10. Certified copy as per rules.

Sd/

(Ram Prasanna Sharma)
JUDGE