

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 741 of 2019**

1. Bharat Rathiya S/o Mohit Ram Aged About 30 Years R/o Village Supkona, Tahsil And P. S. Dharamjaigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
2. Narad Rathiya S/o Mohit Ram Aged About 28 Years R/o Village Supkona, Tahsil And P. S. Dharamjaigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
3. Naresh Rathiya S/o Mohit Ram Aged About 26 Years R/o Village Supkona, Tahsil And P. S. Dharamjaigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through The Officer In Charge, Police Station Rairumakhurd, Dharamjaigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Ashutosh Mishra, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**05/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.312/2018 registered at Police Station Rairumakhurd, Dharamjaigarh, District Raigarh (C.G.) for the offence punishable under Sections 294, 506 B, 323, 326, 34 of IPC.
3. Case of the prosecution, in brief is that on 19/11/2018 about 6 p.m. applicants entered in the courtyard of complainant Shaniram Chouhan, abused him, gave threats to kill, beat him by hands and fists, applicant No. 1 Bharat Rathiya caused injury on his back by knife. As per the MLC report one incised wound was found on the back and the injury was caused by sharp object. As per the query report injury was grievous in nature.
4. Learned counsel for the applicants submitted that they have innocent and falsely implicated in the present case, therefore, they shall be released

on bail.

5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicants furnish one solvent surety for a sum of Rs. 25,000/- each along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial and they would cooperate during the trial, they shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde