

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3772 of 2019

1. Govinda S/o Shri Ram Gopal Aged About 25 Years Caste - Suryawanshi, R/o Village Nariyara, Police Station - Mulmula, Civil And Revenue District Janjgir Champa Chhattisgarh.
2. Durgesh S/o Late Aatma Ram Aged About 21 Years Caste - Suryawanshi, R/o Village Nariyara, Police Station - Mulmula, Civil And Revenue District Janjgir Champa Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Mulmula, Civil And Revenue District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicants : Mr. Paras Mani Shrivastava, Advocate.
For Respondent/State : Mrs. Smita Ghia, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

18/06/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 29/2019, registered at Police Station Mulmula, District Janjgir Champa (C.G.) for the offence punishable under Section 436, 435 & 34 of the IPC.
2. As per prosecution story, on the intervening night of 19.11.2018 & 20.11.2018, two motorcycles standing in front of the house of the complainant were burning, due to fire broke out, television, door and ceiling of the complainant were also burnt. Allegedly, the fire was applied by the applicants. During course of investigation the applicants have been taken in custody on 15.02.2019.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the case due to some dispute with the complainant. He further submits that on 20.11.2018, an information was given by the complainant which has been recorded by the police, wherein, he has not stated anything against the applicants. Thereafter, on 15.02.2019, an FIR has been lodged by the complainant and on that day he first time disclosed the name of the present applicants, therefore, prima facie involvement of the applicants in the crime in question is suspicious. He further submits that the applicants are in custody since 15.02.2019 and trial is likely to take some time. Therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicants are in custody since 15-02-2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge