

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3786 of 2019**

1. Shailendra Kujur @ Pintu, S/o Maniram Oraon, Aged About 26 Years R/o Village Sarga, P.S. and Tehsil Sitapur, District- Surguja, Chhattisgarh.
2. Mukesh Xaxa S/o Ramesh Chandra, Aged About 24 Years R/o Village Sarga, P.S. and Tehsil Sitapur, District- Surguja, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Sitapur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicants	: Shri Nishi Kant Sinha, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**18/06/2019**

1. The Applicant 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. 46/2019, registered at Police Station – Sitapur, District- Surguja, (C.G.) for the offence punishable under Sections 294, 506, 323, 458, 307, 34 of the Indian Penal Code.
2. As per the prosecution story, on 17.04.2019 at about 7:00 pm, due to previous dispute, both present Applicants entered into the house of Complainant and assaulted him with wooden stick. When the brother and wife of the Complainant came to rescue him, then they were also assaulted by the Applicants and due to that they also sustained injuries. Thereafter, report has been lodged by the Complainant and on the basis of the said, offence has been registered. Applicants have been taken into custody on 19.04.2019.
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 previous dispute. He further states that *prima facie* no offence under Section 307 of the IPC can be made out against the Applicants. Applicants have no previous criminal antecedents. They are in custody since 19.04.2019, charge-sheet has been filed and trial is likely to take some time. Therefore, they may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
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 19.04.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them 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. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge