

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3992 of 2019**

- Shri Agashti Harpaal S/o Shri Muniram Harpaal Aged About 21 Years R/o Village Gandhi Nagar, Police Station Civil Lines, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Civil And Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

And**MCRC No. 4858 of 2019**

- Gopal Deep S/o Dhanesh Deep Aged About 22 Years R/o Tarun Nagar, Near Naresh Kirana Store, Padritarai, Police Station Civil Line, Tahsil Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Line, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Verma, Advocate in MCRC No.3992/2019.
For Applicant	:	Ms. Sunita Sahu, Advocate in MCRC ` No. 4858/2019
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/10/2019**

1. As both the MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved this first bail application

under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.306/2019 registered at Police Station – Civil Line, Raipur, District Raipur (C.G.) for the offence punishable under Sections 307, 34 of the IPC.

3. It is the case of the prosecution that the applicants on the call of main accused Himanshu caught hold the neck of Mayank to whom accused Himanshu stabbed knife in his stomach.
4. Learned counsel for the applicants submit that the applicants have been falsely implicated in the crime in question on the basis of previous enmity. They submit that as the applicant -Gopal Deep is in custody since 3.6.2019 and applicant Agashti Harpaal is in custody since 6.5.3029 and the trial is likely to take some time for its final disposal, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and that both the applicants are in jail since June 2016, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the applications filed under Section 439 Cr.P.C. are allowed. 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.

8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge