

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4777 of 2019

1. Mohan Dhruv . S/o Pardeshi Dhruv Aged About 29 Years
 2. Ajay Dhruv S/o Pardeshi Dhruv Aged About 25 Years
- Both R/o Dhuripara, Mangal, Police Station- Civil Line, District- Bilaspur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Civil Line, District- Bilaspur, Chhattisgarh.

---- Respondent

 For Applicants : Shri Hemant Kumar Patel, Advocate
 For Respondent/State : Shri B.L.Sahu, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

27.8.2019

1. Head Constable No. 96, Shri Devmuni Singh Puhup, Police Station, Civil Lines, Bilaspur is present as ordered earlier.
2. This is 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.388/2019, registered at Police Station Civil Line, District Bilaspur(CG) for the offence punishable under Sections 294, 323, 506, 326 read with 34 of the IPC.
3. As per the case of prosecution on 16.6.2019 at about 5.30 pm, at Dhuripara Mangala, while Ghanshyam Rajak was talking to his friends, on account of previous enmity, the present applicants came there and abused him in filthy language and assaulted with lathi and iron rod and when Mohd. Shakeel,

Javed Khan and Sabir intervened, they also assaulted them. A report was lodged and the applicants were taken into custody.

4. Learned counsel for the applicants submits that the applicants have not committed any offence and on account of previous enmity, a false report has been lodged. He submits the applicants are in jail since 17.6.2019 and trial will take some time for its final disposal, therefore, the applicants may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicants and the fact that the applicants are in jail since 17.6.2019, I am of the opinion that present is a fit case 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/

(Rajani Dubey)
JUDGE