

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4805 of 2019

1. Jitendra @ Jittu Bhardwaj S/o Dhanaji Bhardwaj Aged About 35 Years
2. Ramprasad @ Motu Santosh S/o Dhanaji Bhardwaj Aged About 33 Years

Both R/o K. K. Ward Bhatapara, Police Station Bhatapara, District-Baloda Bazar- Bhatapara, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bhatapara, Sahar, District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

 For Applicants : Shri Anil Gulati, Advocate
 For Respondent/State : Ms. Akshara Amit, P.L.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

14.8.2019

1. Heard.
2. This is the first bail 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.237/2019, registered at Police Station Bhatapara Sahar, District Baloda Bazar- Bhatapara(CG) for the offence punishable under Sections 294, 323, 506, 458 r/w Section 34 of the IPC.
3. As per the case of prosecution, on 4.7.2019, when the complainant Ajay Kumar Sahu was present in his house, the applicants came and started abusing him and on interference by Santosh Sharma, they assaulted him and thereafter, they also assaulted the complainant, due to which they received injuries.

4. Learned counsel for the applicants submits that the applicants have not committed any offence and due to previous enmity they have been falsely implicated in the case. He submits the applicants are in jail since 8.7.2019 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. Perused the entire material available on record.
7. Considering 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 8.7.2019, 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