

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.5600 of 2019**

1. Manish Gond S/o Late Deendayal Gond Aged About 24 Years
R/o Village Kusumkunwa, Police Station Gatapar, Tahsil-
Khairagarh, District Rajnandgaon Chhattisgarh.
2. Kanta Gond D/o Late Deendayal Gond Aged About 30 Years
R/o Village Kusumkunwa, Police Station Gatapar, Tahsil-
Khairagarh, District Rajnandgaon Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through - Station House Officer, Police
Station Gatapar, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Abhishek Sharma, Advocate.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/11/2019**

- 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. 27/2019 registered at Police Station – Gatapar, District Rajnandgaon (C.G.) for the offence punishable under Sections 294, 506, 324, 34 of IPC and Sections 25, 27 of the Arms Act.
- The prosecution story, in brief is that on 13.07.2019 security guard of wine shop situated at Mudipar, lodged the report to the police Station Gatapar alleging that, on 12.07.2019 at about 9.15 PM applicants came in the wine shop and want to purchase liquor but they were refused. On this, a quarrel took place between the applicants and complainant and the applicant hurled abuses and started assaulting to the complainant with the

help of knife and Lathi. Thereafter, offence has been registered against the applicant and they were arrested on 13.07.2019.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. Charge-sheet has already been filed. The applicants are in jail since 13.07.2019, there is no previous antecedent against them, therefore, the appellants may be released on bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and the fact that the offence is triable by Judicial Magistrate First Class and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
- Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge