

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5721 of 2019**

- Kamal Yadav S/o Shri Ramesh Yadav Aged About 19 Years, R/o Ganga Nagar, Bhanpuri, P.S. Khamtarai, Tahsil And District Raipur, Chhattisgarh.
- Suraj Sahu S/o Shri Bhim Sahu Aged About 20 Years, R/o Ganga Nagar, Bhanpuri, P.S. Khamtarai, Tahsil And District Raipur, Chhattisgarh.

---- Applicants**Versus**

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

---- Respondent

For Applicants	: Mr. C. R. Sahu, Adv.
For Respondent/State	: Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.11.2019**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 241/2019 registered at Police Station Khamtarai, District-Raipur (C.G.) for the offence punishable under Sections 294, 327, 307 and 34 of IPC.
2. The prosecution story, in brief is that, complainant was lodged a complaint that the applicants have demanded the money from the complainant, when the complainant has denied to give the money, then the applicants have assaulted on the complainant by knife, due to which he has received simple injury. Based on this offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question.

He further submits that the seizure witnesses have turned hostile. The applicants are in jail since 10.05.2019 (Kamal Yadav) and 20.06.2019 (Suraj Sahu), there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that seizure witnesses have turned hostile 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.
7. Accused/applicants are directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**