

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7056 of 2019**

1. Santram Kurre S/o Kartik Kurre aged about 52 years, R/o Village Dudhwara, Police Station Magarlod, District Dhamtari, Chhattisgarh.
2. Dinesh Kurre S/o Santram Kurre aged about 24 years, R/o Village Dudhwara, Police Station Magarlod, District Dhamtari, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police of Police Station Magarlod, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anil Gulati, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/12/2019**

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. 216/2019 registered at Police Station-Magarlod, District-Dhamtari (C.G.) for the offence punishable under Sections 147, 148, 149, 307, 294 and 323 read with 34 of the IPC.
2. The prosecution story, in brief is that, a report was lodged by complainant Smt. Konika Khunte, alleging that on 31.07.2019 when she was sitting in front of her house at that time Ganga Bai Kurre thrown some garbage in the drain and due to this reason certain dispute arose between the Ganga Bai and Konika Khunte and thereafter, Konika Khunte informed to her husband, alleging that the present applicants and other co-accused persons Ishwar, Rajesh and Ganga Bai assaulted with the rod, axe, wood and spade. Due to this, they received multiple injuries. 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 applicants were also lodged FIR at Police Station-Magarlod against the complainant and others regarding the said dispute which is Crime No. 215/2019. The applicants are in jail since 03.09.2019 and 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, detention period of the applicants and further considering the facts that the present applicants are in jail since 03.09.2019 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 their 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**