

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6534 of 2019**

- Somesh Kumar Tandon S/o Shri Suklal Tandon Aged About 24 Years Resident Of Village Chatoud, P.S. Vidhan Sabha, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Vidhan Sabha, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent**MCRC No. 7397 of 2019**

- Roshan Tandan S/o Shri Suklal Aged About 28 Years R/o Village Chataud, P. S. Vidhan Sabha, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, P. S. Vidhan Sabha, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri C.R.Sahu, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.11.2019**

1. Heard the matter finally.
2. As both the MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
3. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure for

releasing them on regular bail during trial in connection with Crime No.442/2018 registered at Police Station - Vidhan Sabha, Raipur, District Raipur (C.G.) for the offence punishable under Sections 294, 323, 506, 326, 307, 34 of the IPC.

4. It is the case of the prosecution that on 14.12.2018 in the night, the present applicants came on a tractor in front of the house of the complainant and started abusing and threatening her and when she stopped them doing this, they assaulted her and her son.
5. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question on a previous land dispute. He submits that the other co-accused persons have already been enlarged on bail by this Court vide order dated 18.3.2019, passed in MCRC No.1429/2019 and the applicants are in custody since September 2019 and trial is likely to take some time for its final disposal, therefore, they may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and co-accused persons have already been enlarged on bail, and both the applicants are in jail since September 2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the applications filed under Section 439 Cr.P.C. are allowed. 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.
9. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge