

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 9955 of 2018

1. Mahender Singh @ Sonu S/o Shri Gyan Singh Kadiya Aged About 32 Years , District : Gurdaspur, Punjab
2. Gurwinder Singh @ Tony S/o Basan Singh Aged About 35 Years R/o Mathola, Post-Bahrath, Police Station Shrihar Gowindpur, District Gurdaspur Punjab., District : Gurdaspur, Punjab

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Amanaka, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicants	: Mr. D. Thakur, Advocate.
For Non-applicant	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 280/2018 registered at Police Station – Amanaka, District Raipur (C.G.) for the offence punishable under Sections 294, 506, 323, 365/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that in the intervening night of 30.09.2018 and 01.10.2018 applicants took the complainant on their trailer towards Bhilai. They abused him, beat him by iron pipe and club, gave threats to kill him.
4. Learned counsel for the applicants submits that the applicants have no criminal background. They are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicants.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if each applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE