

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No.10062 of 2018

1. Arun Jaiswal S/o Bhagwat Jaiswal Aged About 43 Years R/o Ramu Nagar Chowki Khudiya Thana- Lormi District Mungeli, Chhattisgarh.
2. Dinesh Jaiswal S/o Bhagwat Jaiswal Aged About 41 Years R/o Ramu Nagar, Police Station Khudiya, District Mungeli, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Chowki Khudiya, P. S. Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Shubham Tripathi, Advocate on behalf of Mr. Awadh Tripathi, Advocate.
For Respondent/State	: Shri DP Singh, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/01/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 495/2018, registered at Police Chowki: Khudiya, P.S.: Lormi, District Mungeli (C.G.) for the offence punishable under Sections 294, 323, 506/34 of the IPC and Section 3, 1 (10) of the SC, ST (Prevention of Atrocities) Act, 1989.
2. As per prosecution story, on 30.11.2018, report has been lodged by one Manju Porte, wherein, it has been alleged that on 11.11.2018 at about 7:30 PM the applicants with intention to cause injury beaten the complainant and her brother namely Vinod by hand, fists and club due to which complainant and her brother sustained injuries. On the basis of above, offence has been registered against them and they are in custody since 14.12.2018.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that due to some previous enmity a false report has been lodged by the complainant. Virtually complainant and his brother entered in the house of the applicants and abused them, regarding this, a report has also been lodged by the applicants. The applicants are in custody since 14-12-2018 and trial will likely to take some time, therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the fact and circumstances of the case, evidence collected by the prosecution and further considering the fact that the applicants are in custody since 14-12-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge