

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 234 of 2020

1. Rajesh S/o Kawal Sai Aged About 18 Years Caste Kanwar Occupation Student , R/o Village Khondala, Police Station And Tehsil Udaipur District Surguja Chhattisgarh.,
2. Ajay S/o Bundar Ram Aged About 18 Years Caste Kanwar Occupation Student , R/o Village Khondala, Police Station And Tehsil Udaipur District Surguja Chhattisgarh.
3. Nemsai S/o Budhram Gond Aged About 20 Years R/o Village Khondala, Police Station And Tehsil Udaipur District Surguja Chhattisgarh.
4. Khelsai S/o Rameshwar Singh Gond Aged About 18 Years R/o Village Khondala, Police Station And Tehsil Udaipur District Surguja Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Udaipur, District Surguja Chhattisgarh

---- Respondent

For Applicants	: Shri Nishi Kant Sinha, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/02/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 93/2019 registered at police station Udaipur, District Sarguja (CG) for the offence punishable under Sections 307,294,506-B, 34 IPC.

As per prosecution case, on the date of incident at about 4.30 pm, when the injured was going out in his bike, the applicants came there, abused him and assaulted the injured with wooden stick as he used to tease their sister.

Counsels for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He submits that the applicants are in jail since 15.10.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsels for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 25,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge