

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 334 of 2020**

1. Salma @ Lado D/o Shri Jabbar Khan Aged About 22 Years R/o Daupara Mungeli, Police Station Mungeli, District Mungeli, Chhattisgarh.
2. Heena Khan D/o Shri Jabbar Khan Aged About 20 Years R/o Daupara Mungeli, Police Station Mungeli, District Mungeli, Chhattisgarh.
3. Baby Naaj W/o Shri Jabbar Khan Aged About 20 Years R/o Daupara Mungeli, Police Station Mungeli, District Mungeli, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Police Station Mungeli, District Mungeli, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Dheerendra Pandey, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04/02/2020**

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. 716/2019 registered at Police Station-Mungeli District - Mungeli (C.G.) for the offence punishable under Sections 294, 186, 353, 34 of the IPC.
2. The prosecution story, in brief, is that on 23.12.2019 as per order of the SHO, constable No. 327 and 234 had gone to catch the accused Zafar Khan, at that time a secret information received that the accused Zafar Khan stands

near Daupara Chowk Bajrangbali Temple. Then constable reached the said spot and found that Zafar Khan stood there and constable said to Zafar Khan to come with their at Police station but, at that time the mother and sister of the accused present there, opposed and used filthy language and threatened to the constables. Based on this, offence has been registered against the present applicants.

3. Learned counsel for the applicant submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 24.12.2019, 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 applicants and further considering the facts that the offences are triable by Judicial Magistrate First Class. The applicants are in jail since 24.12.2019 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**