

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 498 of 2020**

1. Ramkumar Gilhare S/o Late Pardeshi Ram Aged About 49 Years R/o Village Karwa, Outpost Belgahna, Police Station And Tahsil Kota District Bilaspur, Chhattisgarh.
2. Amit Kumar Gilhare S/o Ramkumar Aged About 26 Years R/o Village Karwa, Outpost Belgahna, Police Station And Tahsil Kota District Bilaspur, Chhattisgarh.
3. Dipak Gilhare S/o Ramkumar Aged About 19 Years R/o Village Karwa, Outpost Belgahna, Police Station And Tahsil Kota District Bilaspur, Chhattisgarh.
4. Ishwar @ Golu S/o Sukhchain Diwaker Aged About 23 Years R/o Village Karwa, Outpost Belgahna, Police Station And Tahsil Kota District Bilaspur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Kota District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Dharmesh Srivastava, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27/02/2020**

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. 601/2019 registered at Police Station-Kota, District-Bilaspur (C.G.) for the offence punishable under Sections 294, 323, 506, 327, 34 of the IPC.
2. The prosecution story, in brief is that, on 29.12.2019 at about 3:30 pm., the present applicants demanded some money from the complainant who refused to give the money, then the present applicants abused him in filthy languages, threatened to cause death and assaulted him by hands and fists. It is further alleged that the two other injured witnesses

tried to intervene the matter then they were also assaulted by the present applicants. Based on this, offence has been registered against the present applicants.

3. Learned counsel for the applicants 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 01.01.2020, 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 applicants are in jail since 01.01.2020 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**