

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 493 of 2020**

1. Shankar Sao, aged about 45 years, son of Dular Sao, resident of village Malda, Tahsil & Police Station Pusour, District Raigarh (C.G.).
2. Nirakar Sao son of Dular Sao, aged about 60 years, resident of village Malda, Tahsil & Police Station Pusour, District Raigarh (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Pusour, District Raigarh (C.G.)

---- Respondent

For Applicants	:	Ms. Nirupama Bajpai, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****03/03/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.05/2020, registered at Police Station – Pusour, District Raigarh (C.G.) for the offence punishable under Sections 294, 506, 323, 365 and 34 IPC.
2. The allegation against the applicants are that they dragged complainant Munu Babu and injured Khageshwar hurling abuses in the house of applicant Nirakar (A-2), locked them inside the house and assaulted them with club and hands & fists. Based on this, offence has been registered. The present applicants have been taken into custody on 09.01.2020.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in

the case. She further submits that the complainant and injured prepared a false case against the applicants due to old enmity. She also submits that the applicants are in custody since 09.01.2020 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of injury sustained by the injured and further considering the fact that the applicants are in custody since 09.01.2020 and the trial is 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 applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- - Rs.25,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge