

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 601 of 2020**

- Aatmaram Yadav S/o Shri Bachchha Ram Yadav Aged About 43 Years Occupation Agriculturist, Resident Of Village Amal Bhatthi (Devi Tikra), Police Station Darima, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
- Mahesh Yadav S/o Shri Nanka Ram Yadav Aged About 27 Years Occupation Student And Agriculturist, Resident Of Village Amal Bhatthi (Devi Tikra), Police Station Darima, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station Darima, Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---Respondent

For Applicants	:	Shri V.K. Pandey, Advocate
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.03.2020**

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.131/2019 registered at Police Station -Darima, District Surguja(C.G.) for the offence punishable under Sections 147, 148, 149, 307/34 of the IPC.
2. It is the case of the prosecution that the complainant lodged a report that on 13.10.2019 at 8.00 am when she along with

her husband was going to graze the cattle, the applicants along with other co-accused persons came on the way forming an unlawful assembly in furtherance of common object and assaulted her husband with axe and lathi danda and when her brother-in-law intervened, they also inflicted injuries to him.

3. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in the crime. He submits that on account of previous land dispute, quarrel had taken place on the date of incident, in which, the complainant and her husband sustained the injuries. He further submits that other co-accused persons have been enlarged on anticipatory bail by this Court in MCRC(A) No.1939/2019, and the applicants are in custody since 14.10.2019 and the trial is likely to take some time for its final disposal, therefore, they may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants; their detention period and other co-accused persons have been enlarged on anticipatory bail by this Court, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is

allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge