

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 843 of 2020

- Shiva Laguri S/o Late Turi Laguri Aged About 19 Years R/o Munda Mohalla Lalghat, Balco Nagar, Tahsil And District Korba, Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Balco Nagar, District - Korba, Chhattisgarh, District : Korba, Chhattisgarh

---- Respondent

 For Applicant : Shri Anil Gulati, Advocate
 For Respondent/State : Shri Ayaz Naved, Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey
Order On Board

27.5.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.01/2020, registered at Police Station Balco Nagar, District Korba(CG) for the offence punishable under Sections 307, 34 of the IPC.
3. As per the case of prosecution, the applicant along with other co-accused has assaulted the complainant, who is a Police Constable and he received simple injuries.
4. Learned counsel for the applicant submits the applicant is innocent and he has been falsely implicated in the case. He submits that the applicant was returning to home and on the way the complainant abused the applicant on which the assault took place. He submits that the applicant is in jail since

1.1.2020 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application. He submits that the applicant along with other co-accused has assaulted the complainant in which he received injuries which is a grievous offence.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and injuries are simple in nature and further considering the detention period of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.3.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (C) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but

if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

11. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

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