

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.971 of 2020

1. Bhuneshwar @ Bhunu Tekam, S/o Shri Jhagdar Tekam, Aged About 35 Years, By Caste- Gond, R/o Village Tahakapar, Police Outpost- Halba, P.S.- Narharpur, Tahsil Charama, District- North Baster Kanker, Chhattisgarh
2. Kamlesh Tekam, S/o Shri Jhagbar Tekam, Aged About 37 Years, By Caste Gond, R/o Village Tahakapar, Police Outpost- Halba, P.S. Narharpur, Tahsil Charama, District- North Baster Kanker, Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh, Through The Station House Officer, Police Outpost- Halba, P.S.- Narharpur, District- North Baster Kanker, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Sunil Sahu, Advocate
Ms. Fouzia Mirza, Addl. AG

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

20/03/2020

1. The applicants have preferred this first bail application under Section 439 of CrPC, as they are arrested in connection with Crime No.110/2019, registered at Police Outpost Halba, Police Station Narharpur, District North Bastar (C.G.), for the offence punishable under Sections 294, 323, 506-B/34, 325 & 307 of IPC.
2. The applicants have allegedly assaulted the injured Vinod Mandavi by means of club causing fracture at right frontal bone. Initially, the offence was registered under Sections 294, 323, 325

and 506 of IPC and the applicants were released on personal bond, however, after submission of CT scan report finding fracture, the offence under Section 307 IPC has also been added. As a consequence of this addition of offence, the applicants were arrested on 15.01.2020.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the fact that the applicants were earlier released on bail and presently they are in jail for last more than 2 months, as also for the reason that the trial may take sometime due to situation created on account of eruption of COVID-19 pandemic related issues, this Court is inclined to release the applicants on bail.
5. Accordingly, the bail application is allowed. The applicants are directed to be released on bail on their executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge

Nirala