

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.946 of 2020

- Anoj @ Anuj, S/o Dhanesh Joshi, Aged About 27 Years, Caste-Satnami, R/o Village Sonesarar, Khairagarh, Police Station and Tahsil- Khairagarh, District- Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through P. S. Khairagarh, District- Rajnandgaon, Chhattisgarh

---- Respondent

MCRC No.1070 of 2020

- Mahavir, S/o Azad Ram Joshi, Aged About 27 Years, Caste-Satnami, R/o Village Sonesarar, Khairagarh, P.S. and Tehsil- Khairagarh, District- Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Khairagarh, District- Rajnandgaon, Chhattisgarh

---- Respondent

For Applicants
For Respondent

Shri Rakesh Pandey, Advocate
Ms. Fouzia Mirza, Addl. AG

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

19/03/2020

1. The applicants have preferred these first bail applications under Section 439 of CrPC, as they are arrested in connection with Crime No.455/2019, registered at Police Station Khairagarh, District Rajnandgaon (C.G.), for the offence punishable under Sections 307/34 of IPC.

2. The material available in the case diary would reveal that while the complainant had thrown stones on barking street dogs, the present applicants were accidentally hit by a stone due to which they started quarreling and beating injured Munna and Rajendra, in which both of them sustained fracture on right thumb when they were trying to save themselves from the attack by the accused persons using axe.
3. The injured have not sustained any injury by means of axe. The only injury sustained by them is fracture of right thumb to each of them. The other injuries sustained by the injured are simple in nature.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the fact that the applicant Anoj @ Anuj is in jail since 13.12.2019 and the applicant Mahavir is in jail since 31.12.2019 and the trial may take some time due to unprecedented COVID-19 pandemic, I am of the opinion that the present is a fit case to release the applicants on regular bail.
6. Accordingly, the bail applications are allowed. The applicants are directed to be released on bail on each of them 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