

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1118 of 2020

1. Vijay Yadav, S/o Late Sampat Yadav, aged about 45 years, Caste Ahir,
2. Umesh Yadav, S/o Vijay Yadav, aged about 21 years, Caste Ahir,

Both are R/o Village Marhatha, P.S. and Tahsil Pratappur, District Surajpur (C.G.)

(In Jail)
---- Applicants

Versus

State of Chhattisgarh, Through Police Station Pratappur, District Surajpur (C.G.)

---- Non-applicant

For Applicants:	Mr. Sunil Tripathi, Advocate.
For Non-applicant:	Mr. Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/05/2020

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.174/2019, registered at Police Station Pratappur, Distt. Surajpur, for the offence punishable under Sections 294, 506, 323 and 307 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicants attempted to cause the death of the complainant and one another person and thereby committed the offence.
3. Learned counsel for the applicants submits that this is the first bail application filed on behalf of the applicants for grant of regular bail, the applicants have not committed any offence and they have been falsely implicated in the case. There is a counter FIR and the injuries are simple in nature. The applicants have been arrested on 24-12-2019

and charge-sheet has been filed against the applicants.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and pretrial detention of the applicants, I am of the view that it is a fit case to enlarge the applicants on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.
8. It is made clear that if the applicants have 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 Motu Writ Petition (C) No.1/2020), they 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 they have not furnished bail bonds earlier, then they will be required to furnish bail bonds.

Sd/-
(Sanjay K. Agrawal)
Judge