

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1534 of 2020**

Ravi @ Jeetu Sahu, son of Raghunath Sahu, aged about 20 years, resident of Sikolabhata, Police Station – Mohan Nagar, Durg, Tahsil & District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station – Mohan Nagar, District Durg (C.G.)

----Non-applicant

For Applicant	: Mr. Sanjay Kumar Agrawal, Advocate on behalf of Mr. A.C.Sahu, Advocate.
For Respondent/State	: Mr. Jitendra Pali, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

14/05/2020

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 402/2019 registered at police Station Mohan Nagar, Durg, District Durg (C.G.) for the offence punishable under Sections 294, 506, 323, 327, 307/34 & 325 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 16.09.2019 applicant and other co-accused persons demanded money and mobile phone from the complainant and when he refused to do so, they caused injuries to the complainant, which were sufficient to cause his death.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as he has not committed any offence. He further submits that

injuries suffered by complainant are simple in nature; the applicant is in custody since 01.12.2019; and the charge sheet has already been filed and no useful purpose would be served in further keeping him in jail and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the nature and gravity of the offence, further considering fact that applicant has been arrested on 01.12.2019 and the charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court till disposal of the trial.

(7) 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 23.03.2020 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.

(8) Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

