

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1604 of 2020

- Mohd Yunus S/o. Shri Mohd. Ismile Aged About 58 Years R/o. Village Pandari, P.S. Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh,

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh

---- Respondent

For Applicant	: Shri Sunil Sahu, Advocate
For Respondent/State	: Shri Dinesh Tiwari, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

04/06/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 02/2020 registered at police station Raghunathnagar, district Balrampur, Ramanujganj (CG) for the offence punishable under Sections 456,384 and 506/34 IPC and Section 25 and 27 of the Arms Act.

As per prosecution case, report was lodged by the complainant alleging that he had given the JCB machine on rent to the applicant and co-accused for a sum of Rs. 90,000/- per month and it is alleged

that the applicant went to his house, threatened him and demanded Rs. 2,00,000/- on the point of country made pistol (katta).

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant is in jail since 05.02.2020; charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnishing 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.

Sd/-
(Rajani Dubey)
Judge

suguna