

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1609 of 2020**

- Dayalu Nag S/o Raju Nag Aged About 26 Years R/o Walmiki Awas, Kabir Nagar, Raipur, Tahsil And District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kabir Nagar, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Rekhraj Baghel, Advocate.
For Respondent/State	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.06.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 304/2019 registered at Police Station : Kabir Nagar, Raipur, District Raipur (C.G.) for the offence punishable under Sections 294, 323, 506, 307 read with Section 34 of the IPC.
2. As per prosecution case, the applicant along with co-accused with an intention to kill the victim, has assaulted him on account of some dispute between them.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He next submits that the other co-accused namely Karan Nag has already been granted bail by this Court 24.02.2020 passed in

MCRC No. 243/2020. The applicant is in jail since 11.12.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering that the other co-accused has already been granted bail by this Court, as applicant is in jail since 11.12.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. 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 said Court on each and every date given to him by the said Court.
8. 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.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu