

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1671 of 2020**

- Shivdas Mahant & Anr. S/o Gyan Das Mahant, Aged About 30 Years R/o Village - Podi, Thana - Chhal, Tehsil - Dharamjaygarh, District Raigarh Chhattisgarh.
- Lalit Das Mahant, S/o Gyan Das Mahant, Aged About 28 Years R/o Village - Podi, Thana - Chhal, Tehsil - Dharamjaygarh, District Raigarh Chhattisgarh.

**---- Applicants**

**Versus**

- State Of Chhattisgarh, Through, Police Station - Chhal, District - Raigarh Chhattisgarh.

**---- Respondent**

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| For Applicants       | : Shri Sanjay Agrawal, Advocate |
| For Respondent/State | : Shri Ayaz Naved, Dy. GA       |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**18/05/2020**

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 21/2020 registered at police station Chhal, district Raigarh (CG) for the offence punishable under Sections 294,506-B,323,326/34 IPC and Section 3(2)(v) of the Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act.

As per prosecution case, a report was lodged by the complainant alleging that when the he had gone to the field for construction of drain, the applicants who were already working there,

started abusing him and assaulted with spade and club. It is also stated that he has threatened him for life.

Counsel for the applicants submits that the applicants have been falsely implicated. He submits that the applicants are in jail since 24.02.2020 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.

Taking into consideration the submissions of the counsel for the parties and nature of offence, I am inclined to enlarge them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 25,000/- with one surety each for the like sum to the satisfaction of the concerned Court on the condition that they shall appear before the trial court regularly on each and every date of hearing unless and until exempted, they shall be released on bail.

Sd/-  
(Rajani Dubey)  
Judge