

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1625 of 2020**

Shukwar @ Ganjaha, son of Budhram, aged about 45 years, resident of Gumiabhatha P.S. Urga, Tahsil Kartala, District Korba (C.G.) (not mentioned in the impugned order sheet of the learned court below)

---- Applicant

Versus

State of Chhattisgarh, through : Station House Officer, Police Station Urga, District Korba (C.G.)

----Non-applicant

M.Cr.C. No. 1816 of 2020

Natwar Singh Gond, son of Bholaram, aged about 29 years, R/o. Village Baksara, Pantora, District Janjgir-Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through : the Station House Officer, Police Station Urga, District Korba (C.G.)

----Respondent

M.Cr.C. No. 1847 of 2020

Sunil Kumar Yadav, son of Bhaggulal, aged about 21 years, R/o. Village Baksara, Pantora, District Janjgir-Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through : The Station House Officer, Police Station Urga, District Korba (C.G.)

----Respondent

For Applicant	: Mr. P.K. Patel, Adv. in M.Cr.C. No. 1625/2020.
For Applicants	: Mr. Govind Ram Miri, Adv. in M.Cr.C. Nos. 1816/2020 & 1847/2020
For Non-applicant/State	: Mr. Devesh Chand Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/05/2020

(1) All the bail applications under Section 439 of the Code of Criminal Procedure arise out of a common Crime No. 16/2020, registered at Police Station Uрга, District Korba, for the offence punishable under Sections 294, 323 & 326/34 of IPC, therefore, they are being heard analogously and decided by this Common Order.

(2) Case of the prosecution, in brief is that, present applicant along with other co-accused persons assaulted the complainant with hand & fist and also the *Tangia*, as a result of which he suffered grievous injuries including fracture, which were sufficient to cause his death.

(3) Learned counsel appearing for the respective applicants submit that applicants have been falsely implicated in the crime in question as they have not committed any offence. They further submit that applicants have been arrested on 19.02.2020 and the trial is likely to take some time for its final disposal and, therefore, applicants 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, in particular the the applicants have been arrested on 19.02.2020 and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail applications are allowed.

(6) Accused/applicants are directed to be released on bail on each of them 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. They are directed to appear before the trial Court on

each and every date given to them by the said Court till disposal of the trial.

(7) 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 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto 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 the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

(8) Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

