

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1750 of 2020**

1. Shatruhan Verma S/o Late Ramnath Verma Aged About 33 Years R/o Gram Mopka Thana Sarkanda, Tahsil And Jila Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Komal Prasad Verma S/o Sadhram Verma Aged About 28 Years R/o Gram Mopka Thana Sarkanda, Tahsil And Jila Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Petitioners****Versus**

- State Of Chhattisgarh Through Aarkshi Kendra Sarkanda, Jila Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Respondent**


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| For Applicants | : | Shri K.K. Khatri, Advocate |
| For Respondent | : | Shri Vimlesh Bajpai, G.A.  |

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**Hon'ble Smt Justice Rajani Dubey****Order on Board****20/05/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.119/2020, registered at Police Station – Sarkanda, Bilaspur (C.G.) for the offence punishable under Sections 147, 148, 149, 307, 459 IPC & Sections 25 and 27 of Arms Act.
2. The prosecution story, in brief, is that the on 08.02.2020 a report was lodged by the complainant alleging inter alia that on the very day, the applicants along with other persons formed unlawful assembly armed with deadly weapon sword with common intention to commit murder of complainant and in furtherance of common object they assaulted the complainant as a result of which he sustained injuries on frontal region, palm of right hand and wrist of left hand with fracture. Based on this, offence has been registered. The present applicant has been taken into custody on

08.02.2020.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the injuries sustained by the complainant are simple in nature and the complainant remained in hospital for one day only. He also submits that the applicants are in custody since 08.02.2020, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application. He submits that the applicants have used deadly weapon sword in the crime in question and the weapon has been seized from the applicants.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of injury sustained by the complainant and further considering the fact that the applicants are in custody since 08.02.2020, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.
9. 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.

Certified copy, as per rules.

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

Pekde