

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1794 of 2020**

- Domendra Kumar @ Chhotu S/o. Kanhaiya Lal Yadav Aged About 26 Years R/o Village Kannewada, P.S. And Tahsil Balod, District Balod Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Doundi, District Balod Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. P.K. Tulsyan on behalf of Mr. Samir Singh, Advocate.
For Respondent/State	:	Mr. Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.06.2020**

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. 131/2019 registered at Police Station : Doundi, District Balod (C.G.) for the offence punishable under Sections 307 & 397 of the IPC.
2. Brief facts of the case are that, the complainant lodged an FIR at the concerned police station alleging therein that on 09.09.2019, when he was going from Village Narratola and reached the main road, at that time, Narottam Singh came there and revealed that some unknown person assaulted him with the help of knife and looted his phone. After investigation, the present applicant has been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He next submits that nothing has been seized from the possession of applicant. He further submits that the applicant is in jail since 19.12.2019 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 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 applicant is in jail since 19.12.2019 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