

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2094 of 2020**

1. Hari Singh Sidar S/o Shri Raja Ram Sidar, aged about 19 years, Caste Gond,
2. Lain Singh Sidar S/o Late Guha Ram, aged about 50 years, Caste Gond,

both are R/o Village Kachanda, P.S. Nagarada, Tahsil- Sakti, Civil and Revenue District Janjgir-Champa (C.G.)

---- Applicants

Versus

- State Of Chhattisgarh Through the District Magistrate Janjgir, Civil and Revenue District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. P.M. Shriwas, Advocate.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.06.2020**

1. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 09/2020 registered at Police Station : Nagarada, District Janjgir-Champa (C.G.) for the offence punishable under Sections 147, 341, 294, 506, 307 & 323 of the IPC.
2. The prosecution story in brief is that, complainant lodged a report at police station alleging therein that while she was going with his husband on Motor Cycle, at that time, applicants and other villagers stopped them and started hurling abuses and beating them with the help of belt, shoes

& hand and ran away from there. Based on that offence has been registered against the applicants and they have been arrested.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that the complainant and the applicants are close relatives and due to the previous land dispute they have cooked the concocted story against them. He also added that they are in jail since 04.02.2020 and they are ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, they 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, as the applicants are in jail since 04.02.2020 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 applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants is directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.
8. 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.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu