

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1653 of 2020**

Jagjit Singh @ Jagga, S/o late Tejpal Singh, aged about 62 years, R/o. Kedarpur, Joda Peepal, Church Road, Ambikapur, District Surguja, Chhattisgarh (In Jail)

---- Applicant

Versus

State of Chhattisgarh, through Police Station Ambikapur, Dehat, (Gandhinagar), District Surguja, Chhattisgarh

----Non-applicant

M.Cr.C. No. 1941 of 2020

Raja Singh, S/o Shri Amarjeet Singh, aged about 34 years, Occupation – Agriculture, residence of village – Latori, P.S. Jainagar Chowki, District Surajpur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through Police Station Ambikapur, Rural, (Gandhinagar), Ambikapur, District Surguja, Chhattisgarh

----Non-applicant

For Applicant	: Mr. Manoj Paranjpe, Adv. in M.Cr.C. No. 1653/2020
For Applicant	: Mr. Vineet Kumar Pandey, Adv. in M.Cr.C.No.1941/2020
For Non-applicant/State	: Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

15/05/2020

(1) Above mentioned two bail applications under Section 439 of the Code of Criminal Procedure arise out of a common Crime No. 198/2019, registered at Police Station Ambikapur Dehat (Gandhinagar), District Surguja, Chhattisgarh, for the offence punishable under Sections 147, 148, 149, 307 & 427 of the Indian Penal Code and

Section 25 & 27 of the Arms Act, 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 five co-accused persons assaulted complainants namely Satish Tripathi & Dheerendra Mathur with the help of iron rod on account of land dispute, as a result of which they suffered grievous injuries which were sufficient to cause their 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 there is a counter FIR has also been registered against the complainants, which was registered as FIR No. 199/2019. They also submit that the applicants have been arrested on 15.02.2020 & 06.03.2020, respectively and the trial is likely to take time for its final disposal and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail applications.

(5) Taking into consideration the nature and gravity of the offence, in particular the fact that there is counter FIR has also been registered against the complainants, being FIR No. 199/2019; and the applicants have been arrested on 15.02.2020 & 06.03.2020, respectively; 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/-

