

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2148 of 2020

Puranik Dhiwar, S/o Ramesh Dhiwar, Aged About 20 Years, R/o Siltara,
Thana Dharsiwa, District – Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station- Dharsiwa, District-
Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Vikas Pandey, Advocate.
For Respondent	:	Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

29/05/2020

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 24/2020 registered at Police Station- Dharsiwa, District- Raipur (C.G.) for the offence punishable under Sections 294, 506, 147, 148, 149, 427, 307 read with Section 34 of IPC.
2. Case of the prosecution is that on 11.01.2020, the applicant along with other co-accused persons assaulted the complainant with sharp edged weapon due to the fight took place a day before i.e. on 10.01.2020 as the accused persons were alleging that the victim has stolen mobile of one of the accused person namely Avinesh Verma.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that the other co-accused persons have already been granted bail. He further submits that the applicant is in custody since 12.01.2020 and the trial is likely to take some time for its final disposal, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the records.
6. Taking into consideration the fact and circumstances of the case, nature and gravity of offence, detention period of the applicant and further considering the fact that the other co-accused persons have already been granted bail and the applicant is in custody since 12.01.2020, I am of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the concerned Court as and when directed.
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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Arun