

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2022 of 2020**

- Hasan Thakur S/o Rajimsay Oti, Aged about 18 years, R/o Naya Ampara, Durg, Tahsil and District Durg (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – SHO, Police Station- Mohan Nagar, District Durg (C.G.)

---- Respondent

For Applicant : Mr. Rudranath Mukherjee, Advocate.
 For Respondent/State : Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.06.2020**

- The accused/applicant has moved his first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 47/2020 registered at Police Station – Mohan Nagar, District Durg (C.G.) for the offence punishable under Sections 452, 294, 506-B and 324 of the IPC.
- According to the prosecution story, on 04.02.2020 at about 22:40 hours, the present applicant entered in the house of the complainant and started abusing Mohan Yadav (son of the complainant). The applicant, then threatened the complainant that he will kill Mohan Yadav. When the complainant and wife of Mohan Yadav asked the applicant to go back, the applicant assaulted them with a knife. Due to the assault, the complainant, her daughter-in-law and one Rajesh Yadav received injuries.
- Learned counsel for the applicant submits that the applicant is innocent person and he has been falsely implicated in the aforesaid case. He next contended that the applicant is in jail since 05.02.2020, therefore he may be granted bail.
- On the other hand, counsel for the State opposes the bail application.

- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, with one local surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.
- 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), 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

Vasant