

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2249 of 2020

- Mohammad Shameem Quraishi S/o Mohammad Kaish Quraishi
Aged About 28 Years Ward No. 7, Luchakipara, Durg, District
Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Thana Khairagarh,
District Rajnandgaon.

---- Respondent

For Applicant	: Ms. Swati Verma, Advocate
For Respondent/State	: Shri Sudeep Verma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/06/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 114/2020 registered at police station Jaalbandha, Khairagarh, district Rajnandgaon (CG) for the offence punishable under Section 188 IPC.

As per prosecution case, the applicant has violated and disobeyed to the order duly promulgated by the Public Servant during the lock down due to the pandemic COVID-19.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that the applicant is in jail since 31.03.2020 and looking to the conduct of the

prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Taking into consideration the submissions of the counsel for the parties and nature of offence, I am inclined to enlarge him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one local surety for the like sum to the satisfaction of the concerned Court on the condition that he shall appear before the trial court regularly on each and every date of hearing unless and until exempted, he shall be released on bail.

It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnishing 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