

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2314 of 2020**

Amit Alias Kalu, S/o Suraj Lal, Aged about 19 years, R/o Near Buddh Vihar Shankar Nagar, PS Mohan Nagar, Tahsil and District Durg (CG)

---- Applicant

Versus

- State of Chhattisgarh, Through – District Magistrate- Durg, District Durg (CG)

---- Respondent

For Applicant	: Mr. B.P. Singh, Advocate.
For Respondent/State	: Mr. Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.06.2020**

- 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. 27/2020 registered at Police Station – Mohan Nagar, District Durg (C.G.) for the offence punishable under Sections 294, 506(B), 323, 324, 327, 147 and 148 of IPC.
- According to the prosecution story, complainant Deepesh Sahu Alias Monu has lodged report that he's having business of fruits and on 17.01.2020 when he was returning to his house after shut down his shop at night 08:30 pm near Paradise Saloon accused Sachindra Nagvanshi has told him that you have kept my mobile but the complainant denied the said fact and due to this issue, all the applicants have demanded money and mobile and after denial all of them have abused and given life threat and also assaulted with hand, fist and rod, then the complainant has lodged the report of the same nature.
- 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 20.01.2020, 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. 50,000/-, with one local surety for the like amount to the satisfaction of the Trial Court for their 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), 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