

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2500 of 2020**

1. Krishna Tandi S/o Raju Tandi Aged About 19 Years R/o Amlidih, Tahsil And District Raipur, Chhattisgarh.
2. Balbhadra (Wrongly Mentioned As Balbhad) Deep S/o Late Benudhar Deep Aged About 64 Years R/o Amlidih, Tahsil And District Raipur, Chhattisgarh.
3. Raju Tandi S/o Masat Tandi Aged About 53 Years R/o Amlidih, Tahsil And District Raipur, Chhattisgarh.
4. Champeshwar Deep S/o Balbhadra Deep Aged About 41 Years R/o Amlidih, Tahsil And District Raipur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Police Station - New Rajendra Nagar, District Raipur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Akhand Pratap, Adv.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/05/2020**

1. Heard on admission
2. Admit.
3. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 123/2020 registered at Police Station-New Rajendra Nagar, District-Raipur (C.G.) for the offence punishable under Sections 147, 148, 149, 307 of the IPC and 25, 27 of Arms Act.
4. The prosecution story, in brief is that, on 13.04.2020 complainant Sandeep Nag was lodged an FIR that on 13.04.2020 at about 9:00 am when he had gone Pradhanmantri Awasiy Parisar colony for selling vegetables at that time there was arisen a dispute with Balbhadra Deep. After some hours, about 3:00 pm, the present applicants and other 30-40 persons came at the complainant's colony with rod, stick and knife. Applicants assaulted with knife and stick to the other persons of the colony, due to this many persons

sustained injuries. Based on this, offence has been registered against the present applicants.

5. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 13.04.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the applicants are in jail since 13.04.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
9. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/-each, with one local 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.
10. 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 shall be required to furnish bail bonds within four weeks from today.

**Sd/-
(Rajani Dubey)
Judge**