

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2499 of 2020

- Manoj Sorte, S/o. Hariram, Aged about 35 years
- Tumman Gond, S/o. Shri Ram Dayal Gond, Aged about 32 years,

Both R/o. Village Tulsipur, Hanuman Gali, Ward No.16, Thana Kotwali, Rajnandgaon, At present R/o. Bajrangpur, Nawagaon, Ward No.1, Opp. Chikhli, Police Station City Kotwali, District Rajnandgaon (CG)

---- Applicants

Versus

- State Of Chhattisgarh, Through –Outpost Mohara, Police Station dongargarh, District Rajnandgaon Chhattisgarh.,

---- Respondent

For Applicant : Shri Samir Singh, Advocate
For Respondent /State : Shri H.S.Ahluwalia, Dy.AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

18/06/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 173/2020 registered at Outpost Mohara, Police Station dongargarh, district Kabirdham (CG) for the offence punishable under Sections 419,420 and 384/34 IPC.

Case of the prosecution in brief is that report was lodged by the complainant alleging that when he was coming home from his workplace, the applicants came to him and presenting themselves as Forest Rangers, demanded Rs. 3,000/-.

Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He

submits that the applicants are in jail since 27.04.2020 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.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, the application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 50,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

It is made clear that if the applicants have 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), 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