

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2650 of 2020**

- Manish Rathore S/o Late Mohan Singh Rathore Aged About 33 Years R/o Banglapara, Police Station Narayanpur, District Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station - Narayanpur, District Narayanpur, Chhattisgarh., District : Narayanpur, Chhattisgarh

---- Respondent

For Applicant	:Shri Sushil Dubey, Advocate.
For Respondent	:Shri Sameer Sharma, Dy. Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.5.2020**

- Heard.
- Admit.
- The accused/applicant has moved this 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.50/2020, registered at Police Station Narayanpur, District Narayanpur(CG) for the offence punishable under Sections 294, 323, 506, 394, of the IPC and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- Case of the prosecution is that the complainant Balram Mandavi has lodged a report that on 16.3.2020 at about 4.30

pm near the ground on the road from Singodi Tarayi to Shanti Nagar in Narayanpur, the accused/applicant abused him in the name of caste and demanded money and snatched silver chain from his neck and he also assaulted his friend Dharam Singh.

- Learned counsel for the applicant submits that the applicant is innocent and he has not committed any offence. He submits that as the applicant is involved in investigation of illegal business running in Narayanpur, he has been falsely implicated in the case. He submits that as the applicant is in custody since 16.3.2020 and the trial is likely to take some time for its final disposal, he may be released on bail.
- On the other hand, counsel for the State opposes the bail application.
- Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and further considering the contention of learned counsel for the applicant; yet charge sheet has not been filed, I am of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.
- Accordingly, the application is allowed.
- It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

- 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 23.3.2020 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.
- Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge