

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2698 of 2020

- Mohd. Fareed S/o Late Abdul Hameed Khan Aged About 27 Years R/o Near Parshad Office, Bandhwapara, Opposite Rajkumar College, P.S.- Purani Basti, District Raipur, Chhattisgarh
- Amdu @ Shekh Ahmad S/o Shekh Ramzan Aged About 55 Years R/o Near Parshad Office, Bandhwapara, Opposite Rajkumar College, P.S.- Purani Basti, District Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S.- Purani Basti, District Raipur, Chhattisgarh

---- Respondent

For Applicants	: Shri Devershi Thakur, Advocate
For Respondent /State	: Shri Anand Verma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/05/2020

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. 133/2019 registered at police station Purani Basti, District Raipur (CG) for the offence punishable under Sections 452,294,506-B,323,147,148 and 149 IPC.

As per prosecution case, a report was lodged by the complainant alleging that the applicants with an intention to kill her and her husband, entered their house and assaulted. It is also alleged

that the applicants have also threatened to kill them.

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 02.05.2020; the offence is triable by Magistrate 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, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 25,000/- 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

suguna