

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3101 of 2020**

1. Ajay Kshatriya Alias Chhotu S/o Late Raj Kshatriya Aged About 24 Years R/o Valmiki Nagar Block B-13, P.S. Kabir Nagar Raipur, Chhattisgarh.
2. Sheikh Zameer Alias Golu S/o Sheikh Nazeer Musalman Aged About 28 Years R/o Valmiki Nagar Block B-13, P.S. Kabir Nagar Raipur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through- Station House Officer, Police Station- Kabir Nagar, District Raipur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sanjay Pathak, Adv.
For Respondent/State	:	Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/06/2020**

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. 131/2019 registered at Police Station-Kabir Nagar, District-Raipur (C.G.) for the offence punishable under Sections 294, 506B, 307, 327, 34 of the IPC.
4. The prosecution story, in brief is that, on 02.05.2019 complainant lodged an FIR that on 01.05.2019 the applicants had demanded Rs. 2000/- from Milu Sagar who is the son of the complainant, to which he refused to give them the said amount resulting which Milu Sagar was abused and assaulted by the applicants with fist and knife due to this he sustained grievous 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 02.05.2019, 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 and submits that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant them bail.
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 02.05.2019 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**