

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3128 of 2020**

1. Padum Lal S/o Ram Nath, aged about 48 years, R/o village Gajpur, P.S. & Tahsil Lailunga, District Raigarh, Civil and Revenue District Raigarh (C.G.)
2. Hota Ram S/o Shankar Singh, aged about 22 years, R/o village Gajpur, P.S. & Tahsil Lailunga, District Raigarh, Civil and Revenue District Raigarh (C.G.)

---- Petitioners**Versus**

- State Of Chhattisgarh Through : Officer-in-charge, Police Station Lailunga, District Raigarh, Chhattisgarh

---- Respondent

For Applicants	:	Shri Ashutosh Mishra, Advocate
For Respondent	:	Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/06/2020**

1. The default as pointed out by the Registry is overruled.
2. Heard.
3. Admit.
4. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.72/2020, registered at Police Station - Lailunga, District Raigarh (C.G.) for the offence punishable under Sections 304 IPC and 135 of the Electricity Act.
5. Allegation against the present applicants is that they spread electric wire in their field in which electric current was flowing

and in the meanwhile, the deceased died after coming into contact with the electricity wire. Based on this, offence has been registered. The present applicants have been taken into custody on 01.05.2020.

6. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are ready to furnish adequate security and shall abide by all the conditions and directions which may be imposed by this Hon'ble Court. He also submits that the applicants are in custody since 01.05.2020 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
7. On the other hand, learned counsel for the State opposed the bail application.
8. I have heard learned counsel for the parties and perused the record.
9. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicants are in custody since 01.05.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
10. Accordingly, the bail application is allowed.
11. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one solvent surety for the like amount to the satisfaction

of the trial Court for their appearance before the said Court as and when directed, till the final disposal of the trial.

12. 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 will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge