

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3221 of 2020**

1. Khemchand Dongre, S/o Shri Laxmi Narayan Dongre, Aged about 24 years, R/o Sonar Chaal, Motipur, Ward No. 08, Near Railway Crossing, P.S. Kotwali, District Rajnandgaon (CG)
2. Chabilal Nirmalkar, S/o Shri Jagannath Nirmalkar, Aged about 20 years, R/o Motipur, Ward No.08, Near Kaai Talab, P.S. Kotwali, District Rajnandgaon (CG)

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station – Kotwali, District Rajnandgaon (CG)

---- Respondent

For Applicants	:	Shri Ishaan Verma, Advocate
For Respondent	:	Shri K.K. Singh, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.6.2020**

1. The default pointed out by the Registry is overruled.
2. Heard.
3. Admit.
4. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 78/2020, registered at Police Station – Kotwali, Rajnandgaon(C.G.) for the offence punishable under Sections 450, 307 and 34 of the IPC.
5. It is the case of the prosecution that on 6.2.2020, at about 11.30 pm, the applicants along with other co-accused persons came to the house of the complainant and stabbed

knife into his stomach and assaulted with iron rod, due to which he received injuries.

6. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in the case. He submits that on account of some previous dispute, the incident had taken place. He further submits that the applicants are in jail since 11.2.2020 and trial is likely to take some time for its final disposal, therefore, they may be released on bail.
7. On the other hand, counsel for the State opposes the bail application.
8. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicants; charge sheet has been filed and trial is likely to take some time for its final disposal, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
9. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
10. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
11. 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 23.3.2020 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.

12. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge