

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3321 of 2020**

- Jugeshwar Yadav, S/o Pachu Yadav, Aged about 42 years, R/o Khukhari, Thana Rajpur, District Balrampur Ramannujganj (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – Police Chowki Bariyo, PS Rajpur, District Balrampur Ramanujganj (C.G.)

---- Respondent

WITH**MCRC No. 3850 of 2020**

1. Jagmaniya Yadav @ Barabspurhin W/o Teslal Yadav, Aged about 40 years,
2. Sudesh Yadav, S/o Jugeshwar Yadav, Aged about 20 years,
Both applicants are R/o Khukhari, Thana Rajpur, District Balrampur Ramanujganj (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through – Police Chowki Bariyo, PS Rajpur, District Balrampur Ramanujganj (C.G.)

---- Respondent

For Applicants	: Mr. Vikash Pandey, Advocate.
For Respondent/State	: Mr. Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.07.2020**

- Heard on admission.
- Admit.
- The accused/applicants have moved their first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 82/2020 registered at Police Station – Rajpur, District Balrampur Ramanujganj (C.G.) for the offence punishable under Sections 458, 294, 323, 506-B and 427 of Indian Penal Code, 1860.
- According to the prosecution story, on 29.04.2020, the complainant namely Sanjay Yadav lodged FIR against present applicants and stated that on 28.04.2020 applicants have interred in his house and beaten him, after PS has registered the case as Crime No. 82/2020 the offence punishable under Sections 458, 294, 323, 506-B and

427 of IPC against present applicants.

- Learned counsel for the applicants submits that present applicants are innocent person who have been falsely implicated in the aforesaid case and no prima facie case has been made out against them. He further submits that they have been roped in the offence due to enmity. He next contended that applicants are in jail since 04.05.2020, 27.05.2020 and 18.05.2020 respectively, therefore, they may be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
- Accordingly, the bail applications are allowed.
- It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- each, with one local surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.
- 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.

Sd/-
(Rajani Dubey)
Judge

Vasant