

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3476 of 2020**

1. Shubham Paikra S/o Sahdev Singh Paikra aged about 24 years, R/o Mahora, P.S. Urga, District-Korba, Chhattisgarh,
2. Ramesh kasture S/o Sewalal Kasture aged about 38 years R/o Village & Police Station-Amarkantak, District-Anuppur (M.P.) at present address-Barpali, near State Bank, Tahsil-Kartala, District-Korba, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Urga, District Korba, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anil Tripathi, Adv.
For Respondent/State	:	Mr. Sudeep Agrawal, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/08/2020**

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. 340/2019 registered at Police Station-Urga, District-Korba (C.G.) for the offence punishable under Sections 294, 506, 323, 326 of the IPC and 25, 27 of Arms Act.
4. As per the prosecution case, the complainant lodged a report with the allegation that the applicants have inflicted injury over the injured Ravishankar Kanwar with the help of hard and blunt object, due to which, the injured has sustained grievous injuries on his head, hand and back side. 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 alleged offences are triable by Magistrate and the same are not punishable by life or death imprisonment and there is no previous criminal antecedents against the applicants. He next submits that the all applicants are in jail since 12.03.2020, 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 offences are triable by Judicial Magistrate First Class and they are in jail since 12.03.2020 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.

**Sd/-
(Rajani Dubey)
Judge**