

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3467 of 2020

- Roshan Singh alias Raja S/o Shri Santosh Singh, Aged 23 years, R/o 25 D, 18 No. Road Camp -1, Prem Nagar, P.S. Chhavni, Bhilai, District Durg (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Chhavni Bhilai, District Durg (CG)

---- Respondent

 For Applicant : Shri Uttam Pandey, Advocate
 For Respondent/State : Shri Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey
Order On Board

29.6.2020

1. Heard.
2. Admit.
3. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.99/2020, registered at Police Station, Chhavni, Bhilai, District Durg (CG) for the offence punishable under Sections 307/34 of the IPC.
4. As per the case of prosecution, the applicant and one Shubham Sonkar caught the complainant and then one Deepak Singh Nepali has stabbed a knife in the stomach of the complainant in revengeful manner. Upon complaint, the applicant and two other accused have been arrested.
5. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely

implicated in the case. He submits that the main allegations are against the co-accused person and there is no previous antecedent of the applicant. He submits that the applicant is in jail since 19.3.2020, and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail.

6. On the other hand, learned counsel for the State opposes the bail application. He submits that the applicant has committed a grave offence in which the complainant has received stab injury.
7. Perused the entire material available on record.
8. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant; the detention period of the applicant; 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 to release the applicant on bail.
9. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
10. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
11. It is made clear that if the applicant has 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), he 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 he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

12. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE