

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3526 of 2020

1. Puriram Sahu, S/o. Uderam Sahu, Aged about 50 years
2. Shailendra, S/o. Devlal Shrivastava, Aged about 25 years,
Both R/o Village Kumhari, Police Station Godhauri, District
Baloda Bazar, Bhatapara Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh, Through Police Station Godhauri-Tundra, District Baloda Bazar-Bhatapara Chhattisgarh.,

---- Respondent

For Applicant	: Shri Prasoon Agrawal, Advocate
For Respondent /State	: Shri Ayaz Naved, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/07/2020

Heard on admission.

Admit.

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 134/2020 registered at police station Godhauri-Tundra district Baloda Bazar-Bhatapara (CG) for the offence punishable under Sections 341 and 394 IPC.

Case of the prosecution in brief is that the applicants have slapped and beat the complainant who is a auto rickshaw driver and

robbed him of Inverter and Battery amounting to Rs. 17,100/- which he was going to deliver.

Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He submits that the applicants are in jail since 28.05.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, the application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 50,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnishing 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

suguna