

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4422 of 2020**

1. Usha Bai, Wd/o Late Bhagwan Singh, Aged About 50 Years, Caste- Gond, R/o Village Bhouta, Police Station- Jhagrakhand, District - Koriya (C.G.).
2. Mankunwar, W/o Shri Virendra Singh, Aged About 25 Years, R/o Village Khadgawan Gajmarwapara, P.S. & Tahsil- Khadgawan, District - Koriya (C.G.).

---- Applicants**Versus**

- State Of Chhattisgarh, Through Police Station- Jhagrakhand, District - Koriya (C.G.).

---- Respondent

For Applicants	: Mr. F.S. Khare, Adv.
For Respondent/State	: Ms. Sunita Jain, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.08.2020**

1. 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. 42/2020 registered at Police Station- Jhagrakhand, District - Koriya (C.G.) for the offence punishable under Sections 294, 506, 307, 34 of IPC.
2. The prosecution story, in brief is that, on 30.04.2020 at about 8.30 P.M., the applicants along with other co-accused person with an intention to kill the victim namely Rajesh Kumar, abused him. Thereafter, other co-accused person assaulted the victim by wooden object and the present applicants committed marpeet by hand and fists, due to which the victim sustained injuries on his head and face. Thereafter, offence has been registered against the present applicants.

3. 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 charge-sheet has been filed. They are not the main accused and the main allegation is against the co-accused person namely Virendra Kumar Singh. The applicants are in jail since 02.05.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application. It is submitted that the offence committed by the applicants, is of serious in nature, so they may not be enlarged on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that they are not the main accused and the main allegation is against the co-accused person namely Virendra Kumar Singh. The applicants are in jail since 02.05.2020 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.
7. 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**