

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4478 of 2020

1. Shankar Lal, S/o. Budharu, Aged about 54years
2. Raj Kumar Muktawan, S/o. Muktawan, Aged 31 years
3. Shyamlal, S/o. Saupat, Aged 50 years
4. Manharan, S/o. Punau, Aged 50 years

R/o. Village Judaa, P.O.Lavan, PS Kasdol, district Baloda Bazar, Bhatapara CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Kasdol, district Baloda Bazar, Bhatapara CG

---- Respondent

For Applicant : Shri Anchal Kumar Matre, Advocate
For Respondent /State : Shri Vimlesh Bajpai, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

25/08/2020

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. 326/2020 registered at police station Kasdol, district Baloda Bazar, Bhatapara CG for the offence punishable under Sections 147,148,149,294,506-B,452 and 436 IPC.

As per prosecution case, report was lodged by the complainant alleging that on the date of incident, the applicants along with other co-accused persons had set off his house on fire.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He further submits that there was a case and counter case against both the parties. He submits that the parties have entered into compromise and they have settled their dispute. Lastly, he submits that the applicants are in jail since 27.06.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore they may be released on bail.

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, their 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. 25,000/- with one surety each for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge