

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4535 of 2020

1. Bajrang S/o Bhgvat Aged About 27 Years Caste - Panika
2. Dhani S/o Kaleshwar Aged About 22 Years

Both are R/o Village Dharampur, Police Station Pratappur,
District Surajpur Chhattisgarh.

---- Applicants

Versus

1. State Of Chhattisgarh Through Station House Officer Police
Station Rajpur, District Balrampur-Ramanujganj
Chhattisgarh.

---- Respondent

For Applicants

Mr. Arun Shukla, Advocate

For Respondent /State

Mr. Alok Bakshi, Addl. Adv. General

(Proceedings through Video Conferencing)

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

3/11/2020

1. Heard.
2. The applicants have preferred this first bail application under Section 439 of CrPC, as they are arrested in connection with Crime No.92/2020, registered at Police Station Rajpur, District Balrampur-Ramanujganj (CG), for the offence punishable under Sections 302, 294, 506 Part II read with Section 34 of the Indian Penal Code.

3. At about 1.00 am in the intervening night of 26th & 27th May, 2020 the deceased Puran Gond was assaulted by his brother-in-law Motu, Motu's uncle (not named) and two other persons. In the eyewitness account informed to the police by witness Devdas he has only named Motu and not the remaining three accused persons. Similarly, in the oral dying declaration of deceased Puran Chand made before witness Devdas he has also named Motu & Motu's uncle without naming him or the remaining two accused.
4. Learned counsel appearing for the State, *per contra*, would oppose the bail application.
5. Considering the quality of evidence relating to identity of the applicants in commission of crime, I am of the opinion that present is a fit case to release the applicants on regular bail.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri