

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4778 of 2020**

1. Manojpuri Goswami (wrongly mentioned in the charge sheet, the real name is Lallupuri Goswami), S/o Parmeshwar Puri Goswami, Aged About 21 Years, R/o H.No. G-137, R.D.A. Colony, Boriyakhurd, Police Station- Tikrapara, Raipur Chhattisgarh.
2. Shubham Parkar, S/o Tularam Parkar, Aged About 19 Years, R/o H.No. 238, R.D.A. Colony, Boriyakhurd, Police Station- Tikrapara, Raipur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, through the Police Station - Tikrapara, District - Raipur Chhattisgarh.

---- Respondent

For Applicants	: Mr. S. P. Yadav, Adv.
For Respondent/State	: Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.09.2020**

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. 05/2020 registered at Police Station- Tikrapara, District - Raipur (C.G.) for the offence punishable under Sections 307/34 of IPC & Sections 25, 27 of Arms Act.
2. The prosecution story, in brief is that, on 01.01.2020, it has been alleged that the present applicants along with other co-accused persons assaulted the victims and caused injuries. 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 already been filed. He next submits that other co-accused persons have already been granted bail in MCRC No. 4927/2020. The applicants are in jail since 02.01.2020, 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 and the submission made in this respect. It is submitted that knife has been recovered from the possession of the present applicants and the offence committed by the present applicant is of serious in nature, therefore, no case is made out for grant of 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 other co-accused persons have already been granted bail in MCRC No. 4927/2020. The applicants are in jail since 02.01.2020, 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**