

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5032 of 2020

- Penbai Sahu @ Prembai W/o. Ramadhin Sahu, Aged about 50 years, R/o. Village Muska, Police Station and Tahsil Khairagarh, District Rajnandgaon CG
- Dilwati Sahu, W/o. Gulal Sahu, Aged about 48 years, R/o. Village Pendri, Police Station and Tahsil Dhamdha, District Durg CG

---- Applicants

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Chhuikhadan, district Rajnandgaon CG

---- Respondent

For Applicant : Shri Abhishek Sharma Advocate

For Respondent /State : Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

17/08/2020

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. 146/2020 registered at police station Chhuikhadan district Rajnandgaon (CG) for the offence punishable under Sections 328, 34 IPC.

As per prosecution case, the applicants have forcefully administered poison to the complainant.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He submits that the applicants are in jail since 10.07.2020 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