

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5056 of 2020**

1. Bhuvneshwar Prasad Nirmalkar @ Golu Nirmalkar aged about 18 years, son of Devilal Nirmalkar, Resident of Banjari Nagar, Behind University Gate, Police Station D.D. Nagar, Raipur, District-Raipur, Chhattisgarh.
2. Vinay Raksel son of Annu Raksel aged about 21 years, Resident of Behind Sundarani Video World Modhapara, Police Station Modhapara, Raipur, District-Raipur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station D.D. Nagar, Raipur, District-Raipur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Ashish Shukla Adv.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/09/2020**

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. 149/2020 registered at Police Station D.D. Nagar, Raipur, District-Raipur (C.G.) for the offence punishable under Sections 294, 327, 307, 506B, 34 of the IPC and 25, 27 of Arms Act.
2. The prosecution story, in brief is that, on 23.04.2020 at about 7:30 pm., near Century Colony Temple the accused persons demanded money from the complainant for purchasing liquor, when the complainant refused to give them money, the accused persons assaulted him with knife, due to this complainant sustained injuries on his thigh and leg. Based on this 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 the applicants are in jail since

03.05.2020, 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 and submits that the allegation against the applicants 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, detention period of applicants and further considering that the applicants are in jail since 03.05.2020, 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. 50,000/- 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**