

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5211 of 2020**

1. Digeshwar Sahu, S/o Lekhram Sahu, Aged about 24 years,
2. Keshram Sahu, S/o Lekhram Sahu, Aged about 26 years,
3. Biselal Sahu, S/o Sukhchand Sahu, Aged about 54 years,

All applicants are R/o Village Karhidih, PS Komakhan, Tahsil Baghbahra, District Mahasamund (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through – PS- Komakhan, District Mahasamund (C.G.)

---- Respondent

For Applicants	: Mr. Shubhank Tiwari, Advocate.
For Respondent/State	: Ms. Sunita Jain, G.A.

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

22/09/2020

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. 147/2020 registered at Police Station- Komakha, District Mahasamund (C.G.) for the offence punishable under Sections 294, 307, 506, 34 of the Indian Penal Code, 1860.
2. The prosecution story in brief is that one person namely Rahul Kumar from village came to complainant namely Praveen Kumar Sahu who was sitting near pond of the village and inform him that Digeshwar @ Golu and Keshram were fighting with his brother namely Rupesh Kumar, they were abusing him badly. Digeshwar and Keshram were having knife, when his brother tried to ran away from the spot, the uncle of Digeshwar namely Biseram and Keshram hold his brother and then they attack the Rupesh Kumar with knife and accordingly Rupesh Kumar gets injured.

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 there is no direct material evidence collected by the prosecution. He next submits that the applicants are in jail since 21.07.2020, 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 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 21.07.2020, 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 present applicants on bail. Accordingly, the bail 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge