

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5162 of 2020**

- Govinda s/o Late Samund, aged about 22 years (Name wrongly mentioned)

- Deenu s/o Late Samund, aged about 30 years,

Both are R/o Village Kolihapuri, Thana Chichola, District Rajnandgaon (CG)

---- Applicants**Versus**

- State Of Chhattisgarh Through the District Magistrate Police Station Chhuriya, District Rajnandgaon (CG), (Wrongly mentioned as through Collector)

---- Respondent

 For Applicants : Shri Samir Singh, Advocate

For Respondent/State : Shri H.S. Ahluwalia, Dy. Advocate General

Hon'ble Smt. Justice Rajani Dubey
Order On Board

21.09.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.60/2020, registered at Police Station Outpost Chichola, P.S. Chhuriya, District Rajnandgaon(CG) for the offence punishable under Sections 452, 307, 188/34 of the IPC.
3. As per the case of prosecution, on 22.4.2020 the applicants entered into the house of Hemant Sahu and beaten him and his brother Yashwant Sahu by axe in which they received grievous injuries on head.

4. Learned counsel for the applicants submits that the applicants have not committed any offence. He submits that the FIR is delayed by 1 day which shows false implication of the applicants in the crime. He submits that the applicants are in jail since 22.4.2020 and trial is likely to take some time for its final disposal, therefore, the applicants may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicants and the detention period of the applicants and trial may take some time for its final disposal, I am of the opinion that present is a fit case to release the applicants on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE