

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5175 of 2020

- Umesh Markam S/o Gopal Markam aged bout 19 years, R/o Sikola Bhata, Ward No. 15, P.S. Mohan Nagar, Tehsil and District Durg (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate District Durg (CG)

---- Respondent

 For Applicant : Shri B.P. Singh, Advocate
 For Respondent/State : Shri Rahul Jha, Govt. Advocate

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 applicant, who has been arrested in connection with Crime No.44/2020, registered at Police Station Pulgaon, District Durg(CG) for the offence punishable under Sections 147, 148, 149, 307 of the IPC.
3. As per the case of prosecution, on 31.01.2020 at about 2.30 pm, the applicant along with other co-accused persons caused injuries to Ramsnehi Vaishnav with knife, baseball and hands and fists in the name of shop and old enmity.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that the co-accused persons have been released on bail by this Court in MCRC

Nos. 4118/2020, 3977/2020, 3714/2020 and 3729/2020 He submits that the applicant is in jail since 02.2.2020 and trial is likely to take some time for its final disposal, therefore, the applicant 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 applicant; charge sheet has been filed and trial may take some time for its final disposal, without further commenting on merits, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed, the applicant shall be released on bail, subject to following conditions:-
 - (i) That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any criminal offence otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - (ii) That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and

when required and the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

(iii) That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE