

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5936 of 2020

1. Ankit Kumar S/o Shri Madho Moaar Aged About 21 Years R/o Village Amhruraa, Post Gamharuaa, Police Station Tarari, District Bhojpur, Bihar.
 2. Fulan Moaar S/o Shri Vishvnath Moaar Aged About 26 Years R/o Village Amhruraa, Post Gamharuaa, Police Station Tarari, District Bhojpur, Bihar.
- Applicants**

Versus

State of Chhattisgarh Through Station House Officer, Police Station Churiya, Out Post Chicholi, District : Rajnandgaon, Chhattisgarh ---
Respondents

For the applicants	:	Mr. Ishan Verma Advocate
For the Respondent	:	Ms. Sunita Jain, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.12.2020

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 79 of 2020 registered at Police Station Churiya, Out Post Chicholi, Rajnandgaon (C.G) for the offences punishable u/ss 186, 332, 353, 307, 34 of IPC.
2. As per the prosecution case, on 29.05.2020, when Constable Sunil Thakur along-with another constable Pappu Singh were performing duty at Chichola, Dongargarh Chowk they received information through mobile from sub-inspector Ajay Kant Tiwari that Truck Container bearing No.01-AA-8476 after committing assault at Maharashtra has fled away, therefore, while the Truck was crossing the boarder was stopped and Constable Pappu Singh while intercepting the

Truck, was assaulted whereby he fell down from the truck and sustained injury on his front occipital bone and the fracture and thereafter the truck fled away.

3. Learned counsel for the applicants would submit that during the interaction, the incident took place and there was no intention to commit murder. He further submits that the petitioners are in jail since 30th May, 2020 and the charge sheet has been filed in this case.
4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the statement of Pappu and the background on which the incident happened and the fact that the applicants are in jail since 30.05.2020, I am inclined to enlarge the applicants on bail.
6. Accordingly, this application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE