

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6104 of 2020**

1. Chhavi Mahanand, S/o Santosh Mahanand, Aged about 18 Years,
 2. Munna Jagat @ Raja, S/o Basant Jagat, aged about 18 Years,
- Both R/o Gandhinagar, Near Krishna Kiran Store, P.S. Civil Line Raipur (C.G.).

----Applicants**Versus**

- State of Chhattisgarh, Through: Station House Officer, Police Station Civil Line, Raipur, District- Raipur (C.G.).

---- Respondent

For Applicants
For State

Mr. Dashrath Kushwaha, Advocate.
Ms. Veena Nair, Deputy A.G.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****01/12/2020**

1. The applicants have preferred this application under Section 439 of Cr.P.C. as they are in jail since 24.07.2020 in connection with Crime No.282/2020 registered at Police Station- Civil Line Raipur, District- Raipur (C.G.) for the offence punishable under Sections 307, 458, 188, 269/34 of Indian Penal Code and Section 25, 27 of Arms Act.
3. Case of the prosecution, in brief, is that on 22.07.2020 at about 7.30 PM, the present applicants entered the house of the victims and also assaulted them by knife and stick with an intention to

commit their murder. As a result of this assault, victims sustained certain injuries. On report being lodged to the above effect, offence under the aforesaid sections have been registered against the applicants.

4. Learned counsel for the applicants submits that the applicants are innocent persons and have been falsely implicated in this case. He also submits that there is no criminal antecedent of the applicants. The applicants are in jail since 24.07.2020 and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail by imposing suitable conditions.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the detention period of the applicants, the fact that the applicants have no criminal antecedents as admitted by both the counsel for the parties and that the trial is likely to take some time for conclusion, without commenting anything on merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicants. Accordingly, the application is allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of **Rs.1,00,000/-** with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-
 - (i) They 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 from disclosing such fact to the Court,

- (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- (iv) They shall not involve themselves in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge

Ruchi