

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7576 of 2020

1. Vijay Netam S/o Pushkar, aged about 24 Years,
 2. Lakhan Singh Netam S/o Chain Singh, aged about 23 Years,
- Both R/o Village Bandha, Police Station Takhatpur, District Bilaspur (C.G.)

---- Applicants

Versus

1. State of Chhattisgarh, Through S.H.O. Police Chowki Junapara Police Station Takhatpur, District Bilaspur (C.G.).

---- Respondent

For Applicants	: Shri Ravindra Sharma, Advocate.
For Respondent/State	: Miss Veena Nair, Deputy Advocate General.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

18/11/2020

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicants for grant of bail as they are in custody since 08/10/2020 in connection with offence under Sections 294, 323, 324, 456, 506/34 of IPC at Police Chowki Junapara Police Station Takhatpur, District Bilaspur (C.G.) under Crime No. 293/2020.
- 2) Allegation against the applicants is that on 01/10/2020 at about 07:00 PM, they went to the house of the complainant Roshan Marco and due to previous enmity, applicant Lakhan assaulted him with a piece of wood and applicant Vijay bit his chest. It is further alleged that both the applicants also assaulted the other family members of the complainant with club and belt. On the report being lodged by complainant on 01/10/2020 at 08:15 AM, the aforesaid offence has been registered against the applicants.

- 3) Learned counsel for the applicants submits that applicants have been falsely implicated in this case, no incriminating article has been seized from the applicants and the medical evidence also does not support the prosecution case. He submits that the applicants are in jail since 08/10/2020 and conclusion of the trial is likely to take some time.
- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the fact that the applicants are in jail since 08/10/2020 and the trial is likely to take some time for disposal, without commenting anything on merits of the case, 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. 25,000/-** with two equivalent sureties for the like amount to the satisfaction of the concerned Trial Court, they shall be released on bail. They are directed to appear before the Trial Court on each and every date given to them by the said Court, till disposal of the trial.
- 6) It is made clear that the applicants shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

-Sd/-
(Gautam Chourdiya)
Judge