

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7170 of 2019

1. Morghiya S/o Late Akalu Aged About 40 Years R/o Village Beldagi, Police Station Lakhanpur, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
2. Vishnu S/o Morghiya Aged About 19 Years R/o Village Beldagi, Police Station Lakhanpur, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Lakhanpur, District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicants	: Shri Praveen K.Tulsyan, Advocate
For Respondent /State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/01/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.71/2019 registered at police station Lakhanpur, District Surguja (CG) for the offence punishable under Section 302/34 IPC.

Case of the prosecution in brief is that report was lodged by the complainant alleging that on the date of incident, deceased Bhajan Ram Yadav along with the applicant and his wife consumed liquor and thereafter some altercation took place between them in which the

applicants abused him in filthy language and due to which they assaulted each other resulting death of the deceased.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He further submits that the applicants are in jail since 30.04.2019; the charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of applicants' furnishing a personal bond in the sum of Rs. 25,000/- with one surety each, for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge