

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7315 of 2019

1. Mahendra Yadav & Ors. S/o Dhannu Yadav Aged About 30 Years R/o Village Bahtarai, Police Station Sarkanda, Tehsil And District Bilaspur Chhattisgarh
2. Sunil Dhurv S/o Gajaram Dhurv Aged About 30 Years R/o Village Bahtarai, Police Station Sarkanda, Tehsil And District Bilaspur Chhattisgarh
3. Narendra Dhurv S/o Gajaram Dhurv Aged About 28 Years R/o Village Bahtarai, Police Station Sarkanda, Tehsil And District Bilaspur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Sarkanda, District Bilaspur Chhattisgarh

---- Respondent

For Applicants	: Shri U.K.S. Chandel, Advocate
For Respondent /State	: Shri Wasim Miyan, PL
For Respondent/Objector	: Shri P.M.Shriwas, Advocte

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/01/2020

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.996/2019 registered at police station Sarkanda, District Bilaspur (CG) for the offence punishable under Sections 294, 323, 506-B, 427,325, 326/34 IPC.

Case of the prosecution in brief is that report was lodged by the complainant alleging that when along with his brothers were standing

near his house, some altercation took place between the applicants and the complainant party in which assault also took place and they sustained injuries.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He further submits that earlier the applicants have lodge a report against the complainant party and as a counter case, the complainants have also lodged the report against them. He further submits that the applicants are in jail since 04.11.2019; 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 as well as the objector 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