

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7525 of 2019

- Umesh Sahu @ Pathalu & Anr. S/o Tekram Sahu Aged About 20 Years R/o Gokulnagar, Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
- Ratnesh Sahu @ Durgesh @ Bhalu S/o Tekram Sahu Aged About 21 Years R/o Gokulnagar, Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Respondent

For Applicant	: Shri Sanjeev Kumar Sahu and Shri Shatrughan Sahu, Advocates
For Respondent/State	: Shri Anurag Verma, PL
For Respondent/Objector	: Shri Vinod Tekam, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/01/2020

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.395/2019 registered at police station City Kotwali, Dhamtari, (CG) for the offence punishable under Section 307/34 IPC.

Case of the prosecution in brief is that report was lodged by the complainant alleging that there was some dispute between the applicants and the complainant in relation to immersion of Ganesh

idol, the applicants along with co-accused abused him and assaulted with knife.

Counsels for the applicants submits that the applicants have been falsely implicated in the case. It is submitted that the applicants are in jail since 17.09.2019; 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 nature of allegation and 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 the 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