

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7475 of 2019**

1. Dhaneshwar Yadav S/o Shri Purno Yadav Aged About 40 Years, By Caste Mahkul, R/o Village Darridih, Dharamjaygarh, Thana And Tahsil Dharamjaygarh, Civil And Revenue District Raigarh, Chhattisgarh.
2. Sonu @ Ghanshyam Yadav S/o Shri Purno Yadav Aged About 23 Years, By Caste Mahkul, R/o Village Darridih, Dharamjaygarh, Thana And Tahsil Dharamjaygarh, Civil And Revenue District Raigarh, Chhattisgarh.

---- Applicants

Versus

- The State Of Chhattisgarh, Through : The Station House Officer, Police Station Dharamjaygarh, Civil And Revenue District Raigarh, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sumit Shrivastava, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14/01/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 186/2019 registered at Police Station-Dharamjaygarh, District - Raigarh (C.G.) for the offence punishable under Sections 294, 506, 332, 353 and 186/34 of the IPC.
2. The prosecution story, is that complainant Deepak Nayak lodged a report that on 01.10.2019 he along with the members of Van Samiti doing the work of Plantation at that time applicants objected the plantation stating that the land belongs to them and beaten the complainant by hand and fist and also abuses him with filthy language, further allegation is that they torned off the Government

documents kept in his bag. Based on this, offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 04.10.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the offence is triable by Judicial Magistrate First Class. The applicants are in jail since 04.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**