

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7604 of 2019**

1. Bhagirathi Manhar S/o Chaitram Aged About 50 Years, Resident Of Village- Mulmula, Police Station-Mulmula, Tahsil-Pamgarh, District-Janjgir-Champa, Chhattisgarh.
2. Kamlesh Kumar S/o Bhagirathi Aged About 33 Years, Resident Of Village- Mulmula, Police Station- Mulmula, Tahsil-Pamgarh, District-Janjgir-Champa, Chhattisgarh.

---- applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station-Mulmula, District-Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicants	:	Ms. Nirupma Bajpai, Adv.
For Respondent/State	:	Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/01/2020**

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. 174/2019 registered at Police Station-Mulmula, District - Janjgir-Champa (C.G.) for the offence punishable under Sections 294, 307, 34 of the IPC.
2. The prosecution story, is that on 23.09.2019, due to dispute regarding water drainage, the applicants and co-accused Smt. Savitri Bai have abused the complainant and inflicted injury on him with the help of knife. 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 other co-accused has already been granted bail in MCRC No. 7279/2019 so, the present applicants may also be granted benefit of bail. The applicants are in jail since 24.09.2019, 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 other co-accused has already been granted bail and the present applicants are in jail since 24.09.2019 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. 25,000/- 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**