

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7705 of 2019**

1. Banshidhar Gupta S/o Late Shri Raghunath Gupta Aged About 55 Years R/o Ramanujganj Ward No.12, Police Station Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh.
2. Avinash Gupta S/o Banshidhar Gupta Aged About 28 Years R/o Ramanujganj Ward No.12, Police Station Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh. Chhattisgarh

---- Respondent

For Applicants	:	Mr. Sunil Tripathi, Advocate.
For Respondent	:	Mr. Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.01.2020**

- The accused/applicants have moved these first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 144/2019 registered at Police Station - Ramanujganj, District Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 147, 149, 294, 506-B, 323, 324, 307 read with Section 34 of IPC.
- The prosecution story in nutshell is that, on account of unloading the Muram just front of the house of the applicants by Ramnath Vishwakarma, some conversion was made between the applicants and complainant, later on, applicants started hurling abuses to complainant and his family member and assaulted them with the help of Bat. On the basis of that, after investigation offence has been registered, and they have been arrested.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that other co-accused persons have already been granted bail by this Court on 08/11/2019 in MCRC No. 6690/2019, therefore, the present applicants may also be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the fact that co-accused persons have been granted bail by this Court, as 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.
- 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 said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu