

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8098 of 2019**

- Prashant Gupta S/o Santosh Gupta Aged About 31 Years
R/o Village Sakri, Thana Sakri, District Bilaspur
Chhattisgarh.
- Aalok Yadav S/o Ramsharan Yadav Aged About 30 Years
R/o Village Sakri, Thana Sakri, District Bilaspur
Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Station House Officer, Police Station
Sakri District - Bilaspur Chhattisgarh.

---- Respondent

For Applicants	:-	Ms. Shital Soni, Advocate
For Respondent-State	:-	Mr. Vinod Kumart Tekam, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

10/01/2020

- The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 345/2019 registered at Police Station – Sakri, District Bilaspur (C.G.) for the offence punishable under Sections 294, 323, 327, 506/34 of the IPC.

- The prosecution story, in brief, complainant-Manoj Singh Thakur lodged report on 24.11.2019 against the present applicants that they were quarreling with his brother-Rahul Thakur and attacked on him with club and rod due to which he got grievous injuries. Based on this, offence has been registered. The present applicants have been taken into custody on 25.11.2019.
- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are bread earner and their long detention will adversely affect to their family members to run their livelihood. As the applicants are in jail since 25.11.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicants may be released on bail.
- On the other hand State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties and perused the entire material available on record.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that they are in jail since 25.11.2019 and 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