

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8206 of 2019**

1. Umrao, S/o Barikram Sahu, Aged About 52 Years, R/o Village Khadi, P.S.- Salhewara, Tehsil- Chhuikhadan, District- Rajnandgaon Chhattisgarh.
2. Umashankar, S/o Umrao Sahu, Aged About 19 Years, R/o Village Khadi, P.S. Salhewara, Tehsil- Chhuikhadan, District- Rajnandgaon Chhattisgarh.
3. Tikeshwar @ Sonu, S/o Gajanand Bhatt, Aged About 25 Years, R/o Village Khadi, P.S.- Salhewara, Tehsil- Chhuikhadan, District- Rajnandgaon Chhattisgarh.
4. Radheshyam, S/o Ratansingh Gond, Aged About 28 Years, R/o Village Khadi, P.S.- Salhewara, Tehsil- Chhuikhadan, District- Rajnandgaon Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh, Through The Police Station- Salhewara, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Abhishek Pandey, Adv.
For Respondent/State	: Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.02.2020**

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. 59/2019 registered at Police Station- Salhewara, District- Rajnandgaon, (C.G.) for the offence punishable under Sections 294, 323, 506, 452, 34 of I.P.C.
2. The prosecution story, in brief is that, on 28.10.2019 at about 5 PM, the present applicants entered the house of the complainant Nemlal Patel and assaulted him with stick, pipe and also abused him. Thereafter, 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 offence has been triable by the Judicial Magistrate First Class. The applicants are in jail since 29.10.2019, 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, and further considering the facts that the offence has been triable by the Judicial Magistrate First Class. The applicants are in jail since 29.10.2019 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. 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