

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8416 of 2019**

1. Ashok Kumar Sharma, S/o Shri H.P. Sharma, Aged About 51 Years, Resident Of Qr.No. 1073, Adharsh Nagar, Kusmunda, District- Korba, Chhattisgarh.
2. Randhir Rai, S/o Shri Shatruhan Rai, Aged About 26 Years, Resident Of Village Subhash Nagar, Dipka, Police Station- Dipka, District- Korba, Chhattisgarh.
3. Dindayal Sharma, S/o Shri Ram Naresh Aged About 47 Years Resident Of Village Subhash Nagar, Dipka, Police Station- Dipka, District- Korba, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through Police Station- Ajak, Korba, District- Korba Chhattisgarh.

---- Respondent

For Applicants	: Mr. Gurudev I. Sharan, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23.01.2020**

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. 26/2019 registered at Police Station- Ajak, Korba, District- Korba (C.G.). for the offence punishable under Sections 294, 506, 323, 455 and 34 of I.P.C. r/w Section 3 (2) (5-क) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. The prosecution story, in brief is that, on 06.11.2019, at about 10:54 PM the present applicants attacked the house of the complainant with club and sticks. It is further alleged that the accused persons abused the complainant related to his caste and even threatened to kill the complainant. 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 other co-accused has been granted bail in MCRCA No. 2162/2019. The applicants are in jail since 19.11.2019, 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 other co-accused has been granted bail in MCRCA No. 2162/2019. The applicants are in jail since 19.11.2019 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