

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 257 of 2020**

1. Jitendra Chandrakar Aged About 28 Years R/o Village Raliya, Tehsil Masturi Civil And Revenue District Bilaspur, Chhattisgarh, Presently Residing At Hotel Mulkraj Budhwari Bazar, P.S. Torwa, District- Bilaspur, Chhattisgarh.
2. Bihari Prasad S/o Shri Jagdish Narayan Singh Aged About 55 Years R/o Azam, Thana Madanpur, Aurangabad, Presently Residing At Hotel Mulkraj Budhwari Bazar, P.S. Torwa, District- Bilaspur, Chhattisgarh.

----Applicants**Versus**

- State Of Chhattisgarh, Through - P.S. Torwa, Civil And Revenue District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Harshal Chouhan, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/02/2020**

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. 196/2019 registered at Police Station-Torwa, District-Bilaspur (C.G.) for the offence punishable under Sections 307, 294, 506, 323 r/w 34 of the IPC.
2. The prosecution story, in brief is that, on 19.06.2019 at night when the applicants were shutting down the hotel, three persons in drunken and injured condition came and started quarreling with the employees of the hotel and applicants. On the next day one of the person Mustafa's father Akram Bhabha lodged a report against the Manager of the hotel and the present applicants that they have committed maar-peat with the complainant's son and his friends. 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 charge-sheet has been filed and the applicants are in jail since 29.09.2019, 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 applicants are in jail since 29.09.2019 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