

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 60 of 2020**

1. Kamlesh Shukla @ Munna Shukla S/o. Shri Indramani Shukla Aged About 47 Years Resident Of Naya Talab Gudiari, Raipur, District Raipur, Chhattisgarh.
2. Raju Shukla @ Rajesh Shukla, aged about 45 years, R/o Naya Talab Gudiari, Raipur, District Raipur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Gudiari, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Jitendra Shukla, Advocate.
For Respondent	:	Mr. Vaibhav K. Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.02.2020**

- 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. 153/2019 registered at Police Station - Gudiari, Raipur, District Raipur (C.G.) for the offence punishable under Sections 294, 323, 326, 506/34 of IPC.
- The prosecution story in nutshell is that, complainant Raju Sahu @ Chetan Sahu lodged a report before the concerned police station alleging therein that on 16.04.2019 at about 8.30 PM, he tried to pacify the quarrel arisen between the parties, but he failed and after that, both the applicants scuffled with him, hurled abuses to his brother and assaulted the brother of the complainant with the help of cricket stump with intention to kill him due to which he sustained grievous injury on his head. Based on that, offence has been

registered against them, 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 next submits that in scuffle and mar-peat, applicant Raju Shukla also got injured, there was lacerated wound in his finger. He further submits that applicants namely Gokul Sahu & Utpal Bhattacharya are in jail since 10.12.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, 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, 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