

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 986 of 2021**

1. Rajesh Kumar Singh, S/o Late Jagdish Singh @ Chhotelal, age 35 Years,
2. Dinesh Baghel @ Dinnu, S/o Late - Jagdish Singh @ Chhotelal, age 30 Years,

Both are R/o Chanwaridand, Police Station and Tahsil - Manendragarh, District Koriya Chhattisgarh.

----Applicants**Versus**

- State of Chhattisgarh, Through - Station House Officer, Police Station - Manendragarh, District – Koriya, Chhattisgarh.

---- Non-applicant

For Applicants	Shri Akhtar Hussain, Advocate.
For State	Shri Anil Tripathi, P.L.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****22/03/2021**

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they have been arrested in connection with Crime No.428/2020 registered at Police Station Manendragarh, District Koriya, C.G. for the offence punishable under Sections 294, 506, 323, 325, 326, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that complainant Anuj Kesharwani lodged a report at police station- Manendragarh alleging in it that on 08.12.2020 at about 9:00 am when he alongwith his father was at his daily needs shop, at that time applicants came near his shop and tried to take photographs of his shop and when he tried to stop the

applicants, they started abusing filthily and assaulted upon the complainant and his family members, as a result of which complainant and his family members received various injuries on their body. On report being lodged to the above effect, offence under the aforesaid sections have been registered against the applicants.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, they are languishing in jail since 27.12.2020, charge sheet has been filed, they have no criminal antecedents and conclusion of trial is likely to take some time.
4. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicants have no criminal antecedents.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the detention period of the applicants, who are 35 & 30 years old, the fact that the injured persons have been discharged from the hospital, charge sheet has been filed, the applicants have no criminal antecedents and there is no likelihood of the applicants tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, the application is allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-
 - (i) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

- (ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- (iv) they shall not involve themselves in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh