

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 221 of 2021**

1. Karamjeet Singh Johal S/o Late Manjeet Singh Johal, Aged About 48 Years R/o Harinagar, Katulboard, District Durg Chhattisgarh.
2. Samerjeet Singh, S/o Late Sr. Avatar Singh, Aged About 41 Years R/o Telibandha, Opp. Bharatmata School, Raipur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Vaishali Nagar Bhilai, District Durg Chhattisgarh.,

---- Respondent

For Applicants	: Shri Ashish Shrivastava, Advocate
For Respondent/State	: Shri Samir Uraon, GA
For Respondent /Objector	: Shri Siddarth Rathod, Advocate

Hon'ble Smt. Justice Rajani Dubey**Order On Board****08/04/2021**

Heard on I.A. No. 03, application for correction in the cause title of the application.

For the reasons mentioned in the application, the same is allowed.

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.11/2021 registered at Police Station Vaishali Nagar, Bhilai, district Durg (CG) for the offence punishable under Sections 294, 506-B,323,427 and 458/34

of the IPC.

Case of the prosecution in brief is that on the date of incident, on Jaideep Singh and his Son Poojan Johal along with three others went to the house of one Omprakash Pandey and started assaulting them. It is alleged that at the time of incident, the applicants were present on the spot.

Contention of the counsel for the applicants is that the applicants have been falsely implicated in the present case. He further submits that no case is made out against the applicants under Section 458 IPC because there is no active involvement of them in the said incident. He further submits that looking to the present circumstances of the pandemic Covid-19, the investigation will take time and therefore they may be granted bail.

On the other hand, learned counsel for the State as well as the objector opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegation against the applicants this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the applications are allowed and it is directed that in the event of arrest of the applicants' in connection with the aforesaid offence, they shall be released on bail on their executing a personal bond in sum of Rs. 25,000/- each with one surety to the satisfaction of the trial Court. The applicants shall also abide by the following conditions :

(i) that 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 them from disclosing such facts to the Court or any police officer;

(ii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iii) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge