

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5156 of 2021**

- Rahul Deep Aged 19 years S/o. Shri Mahendra Deep R/o. Saddu Colony, Mowa, Raipur, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through: The PS : Mujgahan, District Raipur (C.G.)

---- State/Non-Applicant

For Applicant : Shri N. Naha Roy, Advocate

For Non-Applicant/State : Shri Shrestha Gupta, Panel Lawyer

And**M.Cr.C. No. 6585 of 2021**

- Ravi Verma Aged 32 years S/o. Shri Nand Kumar Verma R/o. Adarsh Nagar, Mowa, Raipur

---- Applicant**Versus**

- State of Chhattisgarh, Through : The P.S.: Mujgahan, District Raipur (C.G.)

---- State/Non-Applicant

For Applicant : Shri Atanu Ghosh, Advocate

For Non-Applicant/State : Shri Shrestha Gupta, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****20.09.2021**

1. As above both the first bail applications under Section 439 of Cr.P.C. preferred by the respective applicants arise out of the same crime number i.e. 55/2021 registered in Police Station- Mujgahan, District Raipur (CG) for the offence punishable under Sections 294, 506, 323, 394, 384 read with

Section 34 of IPC, they are being disposed of by this common order.

2. Allegation against the present applicants is that they alongwith other co-accused persons assaulted the brother of the complainant namely Sanju Sahu by means of iron pipe, hands and fists as a result of which brother of the complainant sustained injuries on his right hand, legs and shoulder.
3. Learned counsel for the applicants submit that the applicants have been falsely implicated in this crime. They submit that applicants are languishing in jail since 23.06.2021, and due to Covid-19 pandemic, conclusion of the trial is likely to take some time. Therefore, applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail applications and submits that applicant Rahul Deep has 03 criminal antecedents whereas applicant Ravi Verma has no criminal antecedents.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, looking to nature of injuries sustained by injured Sanju Sahu, the nature of allegation made against the present applicants, the detention period of the applicants who are 19 & 32 years old, due to Covid-19 pandemic, conclusion of the trial is likely to take some time, and the fact that there is no apprehension of the applicants tampering with the evidence or absconding as admitted by counsel for the parties, without expressing any opinion on merits of the case, the applications are allowed.
6. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned Trial Court, they shall be released on bail, on 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/her 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 strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
 - v. they shall not involve themselves in any offence of similar nature in future.
7. Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicants involving themselves in similar nature of offence.
8. In the result, M.Cr.C. No. 5156/2021 & M.Cr.C. No. 6585/2021 are allowed on the above terms and conditions.

Sd/-

(Gautam Chourdiya)
Judge

vatti