

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7119 of 2021

1. Mohar Singh @ Bade Motu S/o Lal Singh Thakur Aged About 21 Years
2. Balbhadra Singh Thakur @Chhote Motu S/o Lal Singh Thakur Aged About 20 Years

Both R/o Village Sarangarh, Taluka Sarangarh, District Raigarh Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sarangarh, District Raigarh Chhattisgarh

---- Respondent

For Applicants	: Shri Raghavendra Pradhan, Advocate
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

25/10/2021

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 841/2018 registered at police station Sarangarh, district Raigarh (CG) for the offence punishable under Sections 294, 506 (Part-II), 460 and 325/34 IPC.

As per prosecution case, on the date of incident i.e. 7.10.2018, at night, when the applicant was sleeping in his house, the applicants entered and threatened him and assaulted with iron rod as a result of which he and his sons sustained grievous injuries.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He further submits that the applicants are in jail since 04.06.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 25,000/- with one surety each for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-

(Rajani Dubey)
Judge