

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7753 of 2021**

1. Abhishek Sakure S/o Shaker Sakure, aged about 25 years R/o 92/2, Ward No. 26, Bharkapara, District Rajnandgaon (C.G.)
2. Nave Kuraishi S/o Ismail Kuraishi, aged about 27 years R/o Bharkapra, Ward No. 26, Rajnandgaon (C.G.).

---- Applicants**Versus**

State of Chhattisgarh through: Police Station, Kotwali, Rajnandgaon 491441 (C.G.).

---- Respondent

For Applicant : Dr. N.K. Shukla, Senior Advocate along with Mr. Shailendra Shukla, Advocate
 For Respondent : Ms. Seema Dixit, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order on Board

29/10/2021

Heard.

1. The applicants have preferred this first Bail Application under Section 439 of Code of Criminal Procedure, 1973 in connection with Crime No. 487/2021 registered at Police Station- Rajnandgaon, Kotwali (C.G.) for the offence punishable under Sections 147, 148, 149, 150 and 302 of the IPC,
2. Case of the prosecution is that on 15/08/2021 at about 7:00pm, Informant Keshav yadav went with Deceased Pravin (henceforth 'the Deceased') to see Moharram and at that time the deceased had fight with one Shakeel Qureshi. Later on, Shakeel and his two friends killed the deceased and fled away from the spot, thereby committed offence.

3. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in the present case. They further submits that in the FIR, name of the applicants have not been mentioned. There is no evidence available against them. They further submits that co-accused Aashif Khan has already been granted bail by the lower Court. The applicants are in jail since 16/08/2021 and trial is likely to take some time, therefore, they pray to release the applicant on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard counsel for the parties.
6. Taking into consideration the fact that the main accused is Shakeel Qureshi who stabbed the deceased, the evidence collected against the applicants who are in jail since 16/08/2021 and conclusion of trial is likely to take time, I am of the view that it is fit case to enlarge the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them furnishing personal bond of Rs. 10,000/- with one surety each of the like sum amount to the satisfaction of the trial Court. Thereafter, the applicants shall appear before the trial Court on the dates given by the trial Court.

Sd/-
(Deepak Kumar Tiwari)
Judge