

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8200 of 2020**

- Afroz Memon, S/o Abdul Kareem Aged About 32 Years R/o Village - Barula, Police Station - Gariyaband, District - Gariyaband Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Gariyaband District - Gariyaband Chhattisgarh.

---- Respondent

MCRC No. 8215 of 2020

- Santosh Sahu, S/o Aaju Ram Sahu, Aged About 20 Years R/o Village - Kokdi, Police Station, Tahsil And District - Gariyaband Chhattisgarh.
- Chandraprakash Dhruw, S/o Jagesh Dhruw, Aged About 20 Years R/o Village Kokdi, Police Station, Tahsil And District - Gariyaband Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station - Gariyaband District - Gariyaband Chhattisgarh

---- Respondent

For Applicants : Shri Mohammad Afroz Athar, Advocate
 For Respondent/State : Shri Devesh Verma, GA

Hon'ble Smt. Justice Rajani Dubey**Order On Board****23/03/2021**

As both these M.Cr.Cs. arise out of the same crime number,

they are being disposed of by this common order.

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.215/2020 registered at police station Gariyaband, district Gariyaband (CG) for the offence punishable under Sections 307,452,294,506-B/34 IPC and 25 and 27 of the Arms Act.

As per prosecution case, report was lodged by the complainant alleging that the applicant and the co-accused persons have entered his house with an intention to cause his death, abused and assaulted him with knife and caused injury.

Contention of counsel for the applicants is that they have been falsely implicated in the case. He further submits that it is the complainant who has assaulted them and one of the applicant namely, Afroz menon was referred to Medical College Hospital, Raipur for treatment. He submits that the applicants are in jail since 18.10.2020; charge sheet has been filed 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 nature of allegation and 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 for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge