

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8776 of 2020**

1. Naresh Yadav, S/o Mahesh Yadav, Aged About 20 Years, R/o Bannak Chowk, Sirgitti, Police Station Sirgitti, District - Bilaspur Chhattisgarh.
2. Kishan Nishad, S/o Late Shri Meluram Nishad Aged About 21 Years, R/o Bannak Chowk, Sirgitti, Police Station Sirgitti, District - Bilaspur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through, Police Station - Sirgitti Bilaspur District - Bilaspur Chhattisgarh.

---- Respondent

For Applicants	: Mr. Umesh Verma, Adv.
For Respondent/State	: Ms. Anjali Singh Chauhan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.04.2021**

1. The accused/applicants have moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 524/2020 registered at Police Station- Sirgitti Bilaspur District - Bilaspur, (C.G.) for the offence punishable under Sections 294, 323, 506, 327, 34 of IPC.
2. The prosecution story, in brief is that, on 15.11.2020, complainant lodged an oral complaint against the applicants alleging that on 14.11.2020, at about 10:00 PM, when complainant was going to her daughter's house at that time, one of the co-accused namely Golu Odiya has thrown crackers on her thereafter quarrel took place between them. Thereafter, co-accused called the present applicants and beaten the complainant with stone. Thereafter, offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that there is no antecedent registered against the present applicants. The applicants are in jail since 15.11.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application. It is submitted that the offence committed by the applicants is of serious in nature, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the records.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that there is no antecedent registered against the present applicants. The applicants are in jail since 15.11.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**