

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8746 of 2021

1. Sukhdev S/o Subechand Aged About 23 Years R/o Village Mahuli, P.S. Chandni, Tahsil Odgi District Surajpur Chhattisgarh
2. Subechand S/o Triveni Aged About 55 Years R/o Village Mahuli, P.S. Chandni, Tahsil Odgi District - Surajpur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Chandni District Surajpur Chhattisgarh

---- Respondent

For Applicants	: Shri Varunendra Mishra, Advocate
For Respondent /State	: Shri Ravi Maheshwari, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

16/12/2021

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.16/2021 registered at police station Chandni, District Surajpur (CG) for the offence punishable under Sections 294,506, 323, 450,307,34 IPC.

Case of the prosecution in brief is that report was lodged by the complainant Vidhyasagar alleging that on account of some old rivalry, the applicants abused and assaulted with clubs to him and his family members as a result of which they sustained grievous injuries.

Counsel for the applicants submits that the applicants have been

falsely implicated in the case. He submits that the report was lodged with a delay of three days. He further submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C. No. 7126/2021 vide order dated 25.10.2021 and therefore the present applicants may be granted the benefit. It is further submitted that the applicants are in jail since 28.06.2021; the 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 detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of 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