

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9476 of 2020

1. Ravi Sagar S/o Late Vasu Sagar Aged About 25 Years Resident Of Labhandih , Housing Board Colony, Raipur , Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Rahul Sagar S/o Late Vasu Sagar Aged About 23 Years Resident Of Labhandih , Housing Board Colony, Raipur , Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Telibandha, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

--Non-Applicant

For Applicants	:	Shri C.R. Sahu, Advocate
For Non-Applicant/State	:	Ms. Seema Dixit, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

04.02.2021

1. The applicants have preferred this first bail application under Section 439 of Code of Criminal Procedure, 1973 as they are in jail since 3.10.2020 in connection with Crime No.353/2020, registered at Police Station- Telibandha, District Raipur (CG) for the offence punishable under Sections 294, 323, 506, 452, 354, 34 of the IPC (as per challan under Sections 506, 323, 324, 457, 354 (क) (iv), 354(ख), 34 of the IPC
2. Case of the prosecution is that the complainant has lodged a report that on account of some property dispute, the applicants who are her brothers-in-law committed marpit and tried to outrage her modesty.
3. Learned counsel for the applicants submits that the applicants

have been falsely implicated in the crime in question, they have not committed any offence. He further submits there is dispute in the family on account of property and during scuffle some simple injuries have been received by the complainant and taking advantage of the said incident, she has lodged the report against the applicants. He submits that as the applicants have been arrested on 3.10.2020, charge sheet has been filed and trial is likely to take some time for its final disposal, therefore, the applicants be released on bail by this Court.

4. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application. However, she accepts that there is no criminal antecedent against the applicants.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and looking to the nature of allegations against the applicants and their detention period and as accepted by both the counsel, there is no criminal antecedent against the applicants; the offence is triable by Magistrate; charge sheet has been filed and that conclusion of trial may take some time, this Court is of the opinion that present is a fit case for grant of bail to the applicants. Accordingly, the application is allowed.
6. It is directed that in the event of the each of the applicants executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- each to the satisfaction of the concerned Trial Court, they shall be released on bail, on the following conditions:-
 - (a) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such fact to the Court.
 - (b) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) they shall appear before the trial Court on each and every

date given to them by the said Court till disposal of the trial.

(d) they shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

**Sd/
(Gautam Chourdiya)
Judge**

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