

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9282 of 2021**

1. Deepak Sahu S/o Shri Ramesh Sahu Aged About 19 Years
R/o Ward No. 34, Bazar Chauk, Sarora, Raipur City, Tahsil
And District- Raipur (C.G.)
2. Sukhnandan Sahu S/o Shri Sukhram Sahu Aged About
62 Years R/o Ward No. 34, Bazar Chauk, Sarora, Raipur
City, Tahsil And District- Raipur (C.G.)
3. Ramesh Sahu S/o Sukhnandan Sahu Aged About 38
Years R/o Ward No. 34, Bazar Chauk, Sarora, Raipur City,
Tahsil And District- Raipur (C.G.)
4. Durga Sahu D/o Sukhnandan Sahu Aged About 31 Years
R/o Ward No. 34, Bazar Chauk, Sarora, Raipur City, Tahsil
And District- Raipur (C.G.)
5. Kunti Sahu W/o Sukhnandan Sahu Aged About 59 Years
R/o Ward No. 34, Bazar Chauk, Sarora, Raipur City, Tahsil
And District- Raipur (C.G.)

---- Applicants**Versus**

- State Of Chhattisgarh Through- Police Station Urla,
District- Raipur (C.G.).

---- Respondent

For Applicants : Mr. Samir Singh, Adv.
 For Respondent/State : Mr. Praveen Shrivastava, P.L.
 For Objector : Mr. Rajesh Kumar Shrivastava, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.12.2021**

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. 225/2021 registered at Police Station- Urla, District- Raipur (C.G.) for the offence punishable under Sections 294, 323, 324, 452, 506/34 of IPC.

2. The prosecution story, in brief is that, it has been alleged on the date of incident, applicants entered the house of the complainant and assaulted him with stick, hands and fists and also threatened him of dire consequences. Thereafter, offence has been registered against the present applicants and they were taken into custody.
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 the injuries sustained by the complainant are simple in nature and the applicants are in jail since 27.10.2021, charge-sheet has been filed 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 and the submission made in this respect. It is submitted that the offence committed by the present applicants is of serious in nature, therefore, no case is made out for grant of bail.
5. Learned counsel for the objector opposes the bail application of the applicants.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the totality of the facts and circumstances of the case, further considering the facts that the injuries sustained by the complainant are simple in nature and the applicants are in jail since 27.10.2021, charge-sheet has been filed 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.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to

the satisfaction of the concerned Court for their appearance before the said Court as and when directed, the applicants shall be released on bail, subject to following conditions:-

- That, the applicants shall furnish a specific undertaking that while on bail, they will not commit any criminal offence otherwise bail granted to them shall be liable to be cancelled and shall co-operate the prosecution during trial.
- That, the accused/ applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required and the accused/ applicants 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 him/her from disclosing such facts to the Court or to any police officer.
- That, the accused/ applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

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