

(2020) 03 CHH CK 0035

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No.971 Of 2020

Bhuneshwar @ Bhunu Tekam And Ors

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 20-03-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 34, 294, 307, 323, 325, 506, 506B

Citation : (2020) 03 CHH CK 0035

Hon'ble Judges : Prashant Kumar Mishra, J

Bench : Single Bench

Advocate : Sunil Sahu, Fouzia Mirza

Final Decision : Allowed

Judgement

@JUDGMENT-JUDGMENT

Prashant Kumar Mishra, J

1. The applicants have preferred this first bail application under Section 439 of CrPC, as they are arrested in connection with Crime No.110/2019, registered at Police Outpost Halba, Police Station Narharpur, District North Bastar (C.G.), for the offence punishable under Sections 294, 323, 506-B/34, 325 & 307 of IPC.

2. The applicants have allegedly assaulted the injured Vinod Mandavi by means of club causing fracture at right frontal bone. Initially, the offence was registered under Sections 294, 323, 325 and 506 of IPC and the applicants were released on personal bond, however, after submission of CT scan report finding fracture, the offence under Section 307 IPC has also been added. As a consequence of this addition of offence, the applicants were arrested on 15.01.2020.

3. Learned State counsel would oppose the prayer for grant of bail.

4. Considering the fact that the applicants were earlier released on bail and presently they are in jail for last more than 2 months, as also for the reason that

the trial may take sometime due to situation created on account of eruption of COVID-19 pandemic related issues, this Court is inclined to release the applicants on bail.

5. Accordingly, the bail application is allowed. The applicants are directed to be released on bail on their executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.