

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4895 of 2015**

- Saiyad Sajid Ali, aged about 30 years, S/o Saiyad Jahan Ali, R/o:- Village-Jarve, Pali, District Janjgir-Champa, Presently R/o:- At near Vaisnav Darbar, Seetamadhi, Korba, Tahsil & District – Korba (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: S.H.O.- Kotwali, District Korba (C.G.)

---- Non-applicant

For Applicant: Mr. Hemant Gupta, Advocate.
For Respondent/State: Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 243/2015 registered at Police Station Kotwali, District – Korba (C.G.) for the offence punishable under Sections 498-A, 506 part-II & 323/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant treated his wife with cruelty and also assaulted her brutally from 23.04.2015 to 10.06.2015 and, thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence, in fact no dowry was ever demanded by the applicant. He further submits that the applicant is in jail since 18.06.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; considering the nature of injuries suffered by the applicant's wife; his pre-trial detention and the fact that charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-