

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1798 of 2016**

Varun Nishad, S/o. Mohan Nishad, aged about 22 years,
R/o. Village – Ranigaon, Thana- Sihava, Distt. Dhamtari
(C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through Police Station – Sihava,
Distt. Dhamtari (C.G.)

-----Non-applicant

For Applicant: Mr. Samir Singh, Advocate.
For Non-applicant/State: Mr. Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/03/2016**

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. 11/2016 registered at Police Station Sihava, Distt. - Dhamtari for the offences punishable under Sections 452, 506(B), 324 & 326 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 29.01.2016 applicant caused grievous hurt by deadly weapon to victim Smt. Bharti Patel; and also threatened and abused her and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in

detention since 30.01.2016 and no useful purpose would be served in detaining him in jail and, therefore, he 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; role of the present applicant in the offence in question; nature of injuries suffered by the victim; pre-trial detention; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Varun Nishad** 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/-