

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 445 of 2018**

Imran @ Immu, S/o. Ramjan Khan, Aged About 23 Years, R/o. Behind Pawan Kirana Stores, Raipur, P.S. Moudahapara, District Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station Moudahapara, District Raipur, Chattisgarh.

---- Respondent

For Applicant : Mr. Raghavendra Pradhan, Advocate

For State/respondent : Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**23/04/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.197/2017, registered at Police Station – Moudahapara, District – Raipur (C.G.), for the offence punishable under Section 452, 506, 323, 324, 326 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 07.10.2017. Charge-sheet has been filed after completion of investigation. No case is made out against the applicant on the basis

of the material present in the charge-sheet. The case against the applicant is triable by Judicial Magistrate First Class. Trial against him is still pending. Therefore, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that this applicant has criminal record of previous four cases against him under the various provisions of Indian Penal Code. Hence, it is prayed that the applicant may not be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case of the prosecution, this applicant had some dispute with the brother of the complainant Shila Tandi. On the date of incident, this applicant came searching for brother of the complainant and not finding him, he assaulted the complainant and injured her grievously with a sharp weapon causing injuries on her abdomen and legs. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. After due consideration it is found that the trial against this applicant is still pending and the applicant is in jail since about six months, hence, looking to the delay in conclusion of trial, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram