

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2426 of 2018

- Loknath Naurange S/o Pudendra Naurange Aged About 20 Years
R/o- Village- Sankra, Niko, Thana- Dharsinva, District- Raipur,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Dharsiva, District-
Raipur, Chhattisgarh

---- Respondent

For Applicant : Shri Anil Gulati, Advocate
For State : Shri Ashish Surana, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

ORDER ON BOARD

07.05.2018

- 1) This is first bail application under Section 439 of the Cr.P.C.,
preferred by the applicant before this Court and no other bail
application is pending before any other Court.
- 2) Perused the case diary/ record provided by the learned
counsel for the State in connection with Crime No.55 of 2018
registered in Police Station Dharsiwa, District Raipur (CG) for
offences punishable under Sections 294, 323, 324, 506 and
326/34 of the IPC.

- 3) Prosecution story, in brief, is that on 27.01.2018 in village fair at village- Sondra near about 8.30 pm quarrel occurred between two parties. In one party, present applicant- Loknath Naurange, Ritik Saitode and Rohan Saitode are there. In the other party, there are Shailendra, Pramod Kumar, Tikeshwar and Prakash Nishad. Applicant caused the injury on the chest and waist of complainant Shailendra by knife. He also caused the injury on right hand of complainant Prakash Nishad by knife.
- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and has not committed any offence. He further submits that the applicant is innocent and has no criminal antecedent, therefore, he may be released on bail.
- 5) On the other hand, learned State counsel opposes the bail application.
- 6) I have heard learned counsel for the parties and perused the case diary / record.
- 7) In counter case where the present complainants Shailendra, Pramod Kumar and one Tikaram Goswami are accused, already enlarged bail by the Court below. Looking to the facts and circumstances of the case and also looking to the facts that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time and

also the fact that the applicant is in jail since 06.03.2018, this Court is inclined to give benefit of Section 439 of the Cr.P.C., to the present applicant.

- 8) Accordingly, the bail application of Loknath Naurange filed under Section 439 of the Cr.P.C., is allowed.
- 9) It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned trial Court with the condition that he will appear before that Court as and when directed till completion of the trial and he would cooperate during the trial, the applicant be released on bail.

Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge