

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3715 of 2018**

Meelu Yadav S/o Late Dashrath Yadav Aged About 42 Years
R/o- Girls College Road, Mahatama Gandhi Ward Dhamtari,
Tahsil And District- Dhamtari, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Of
Police Station City Kotwali, Dhamtari, District- Dhamtari,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Abhishek Sharma, Advocate
For the State	:	Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**25/06/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 96/2018 registered at Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Sections 294, 323, 324, 326, 506 of IPC and Section 25, 27 of Arms Act.
3. Case of the prosecution, in brief is that the victim Likesh and Basanti Bai are the resident of Mahatma Gandhi Ward, Dhamtari. On 25/02/2018 near about 9 p.m. applicant assaulted the victim Likesh and Basanti Bai by sword. Victim Likesh sustained simple injury while index finger of Basanti Bai was cut.
4. Learned counsel for the applicant submits that applicant is innocent

and falsely implicated in the present case and the applicant is in custody since 26/02/2018, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the above mentioned facts and circumstances of the case, looking to this fact that there is no likelihood of the accused to abscond and tamper the evidence, charge-sheet has been filed, trial will take its own time, offences are triable by JMFC and applicant is in jail since 26/02/2018, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed.
8. 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 Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge