

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4569 of 2018

- Naveen Sona S/o Sidesh Sona Aged About 20 Years R/o- Behind The Marin Drive, Jal Vihar Colony, Post Office- Raipur, Police Station- Telibandha, Raipur, Tahsil And District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Mujgahan, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Shri Shivendu Pandya, Advocate.
For Respondent/State : Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16/07/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 195/2017, registered at Police Station Mujgahan District Raipur (C.G.), for the offence punishable under Section 307/34 of the IPC.
2. As per prosecution story, it is alleged that on 02.09.2017 about 8:30 AM, the present applicant along with the other co-accused person assaulted the injured Gopichand Sendre by knife and then they ran away from the spot, as a result of which the above mentioned injured sustained injuries, F.I.R. has been lodged by one Narendra Kumar Sendre. Police has registered the offence punishable under Section 307/34 and the applicant was arrested on 06-09-2017.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that injuries sustained by

Gopichand is not of grievous nature; the other co-accused namely Narendra Sona has already granted benefit of bail by this Court vide order dated 26-03-2018 passed in MCRC No. 766/2018. The applicant is in jail since 06-09-2017. Charge-sheet has already been filed and the trial will likely to take some time to conclude, therefore, the present applicant may also be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary.
6. Considering the above facts and circumstances of the case, particularly considering the fact that charge-sheet has already been filed and trial will likely to take some time to conclude. Further considering the fact that the applicant is in custody since 06-09-2017 and also considering that the other co-accused Narendra Sona has already been granted bail by this Court, therefore, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

(Arvind Singh Chandel)
Judge