

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5696 of 2018**

Deepak Nair S/o Shri Gopal Nair Aged About 36 Years R/o- Near
Shyam Kirana Store, Nehru Nagar, P.S. City Kotwali, Raipur,
District- Raipur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For the Applicant	:	Shri Ayaz Naved, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/08/2018**

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. 197/2018 registered at Police Station City Kotwali, Raipur, District Raipur (C.G.) for the offence punishable under Section 327, 323, 294, 506, 324, 34 of IPC.
3. Case of the prosecution, in brief is that on 19/06/2018 at about 12.30 a.m. at Nehru Nagar, Raipur applicant, other co-accused Mohd. Riyaz, Sanju @ Sanjay and Shankar @ Jata demanded the money from the complainant Prashant Sagar to consume the liquor, on refusal they abused him and beaten by iron rod, knife to the complainant.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, 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 and as per the statement of the Govt. Advocate there is no antecedent, 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. It is directed that if the applicant furnishes one solvent surety for a sum of Rs. 30,000/- 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde