

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6607 of 2018**

Triyambak Singh @ Golu, S/o Niranjan Singh, Aged About 21 Years,
Student R/o Village Maheshpur, P. S. Sitapur, District : Surguja
(Ambikapur), Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through The Station House Officer, Police
Station - Batauli, District Surguja Chhattisgarh

---- Respondent

For Applicant. : Shri Shakti Raj Sinha, Advocate.
For Respondent. : Shri Aditya Sharma, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

06/10/2018

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 02.08.2018 in connection with Crime No.48/2018 registered at Police Station : Batauli, District - Surguja (C.G.) for the offence punishable under Sections 341, 294, 506, 323, 326 and 34 of the IPC.
2. As per the prosecution case, on 15.05.2018, the complainant Ramkumar along with a girl namely Fhuleshwari was coming on the motor cycle from Ambikapur, on the way, the present applicant along with the co-accused Sohail Khan interrupted them and started assaulting the complainant by hand and fists, as a result of which complainant sustained injuries. Based on this an FIR has been lodged against the present applicant and he is in custody since 02.08.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submitted that the applicant is in custody since 02.08.2018, charge-sheet has been filed and trial will take some more time, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and the fact that the applicant is in custody since 02.08.2018, charge-sheet has been already filed and trial will take some more time, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed.
8. It is directed that the accused/applicant shall be released on bail on his furnishing a personal bond of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-
(Rajani Dubey)
Judge