

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7186 of 2018**

Mohd. Imtiyaz Ansari, S/o Abbas Ansari, Aged About 30 Years, R/o Vivekanand Colony, Charcha Colliery, Police Station Charcha, Tahsil Baikunthpur, District : Koriya, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, Police Of Police Station Charcha, District : Koriya , Chhattisgarh

---- Respondent

For Applicant. : Shri Anil Gulati, Advocate.

For Respondent. : Shri Sameer Behar, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26/10/2018**

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 18.06.2018 in connection with Crime No.84/2018 registered at Police Station : Charcha, District - Koriya (C.G.) for the offence punishable under Sections 294, 307, 324 read with Section 34 of the IPC and Section 25 and 27 of the Arms Act.
2. As per the prosecution story, the complainant Charan Singh lodged an FIR before the Police Station - Charcha, District - Koriya against the present applicant and other co-accused alleging in it that due to some previous enmity, the present

applicant and the other co-accused (Santosh Mudli) came there and started abusing the complainant by filthy language, and thereafter, the other co-accused Santosh caught hold of both hands of the complainant and present applicant Imtiyaz Ansari assaulted him by knife. The injured was medically examined and all the injuries were found grievous in nature. On the basis of the said report, applicant has been arrested on 18.06.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He also submits that other co-accused namely Santosh Kumar Mudli has also granted bail by this Court in **MCRC No. 6325/2018**, vide order dated 26.09.2018. He further submitted that the applicant is in custody since 18.06.2018, charge-sheet has been filed and trial is likely to 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 other co-accused Santosh Kumar Mudli has already been released on bail, 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 applicant shall be released on bail on his 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 for his appearance before the Trial Court as and when directed.

Sd/-
(Rajani Dubey)
Judge

yasmin