

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7195 of 2018**

- Arun Kumar Pandey S/o Devendranath, aged about 32 Years R/o Masuriya Kala, Post- Dumariya, Police Station- Garhwa, District- Garhwa, (Jharkhand) Present Address- Maharaj Dhaba, Bypass Ratanpur, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Ratanpur, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ajay Kumar Pandey, Advocate.
For Respondent/State	: Shri Bhaskar Payashi, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**25/10/2018**

1. The applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 104/2018, registered at Police Station – Ratanpur, District- Bilaspur, (C.G.) for the offence punishable under Section 294, 323, 506 & 326 of the Indian Penal Code. The Applicant had earlier preferred first bail application under Section 439 of Cr.P.C. before this Court vide order dated 28.08.2018 passed in M.Cr.C. No. 5580 of 2018 which was dismissed as withdrawn with liberty to file fresh application after filing of the charge-sheet.
2. As per the prosecution story, on 02.03.2018, Complainant Naman Bhardwaj lodged a report wherein it has been stated that on the date of incident i.e. 01.03.2018, the Applicant and two other co-accused assaulted the Complainant with the help of rod, due to which, he received grievous injury on his head, chest and leg. On the basis of the said report, offence has been registered against the present

Applicant. The Applicant has been taken into custody on 13.07.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant is in custody since 13.07.2018 and trial will take some time. Charge-sheet has already been filed. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 13.07.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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 solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge