

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8112 of 2018

Yogesh Sachdev @ Kalu S/o. Late Shri Sewaram Sacdev, Aged about 19 years, R/o. Rawatpura Colony, Bhatagaon, P.S. Tikrapara, Raipur, District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Police Station City Kotwali, Raipur District Raipur (C.G.)

---- Respondent

For Applicant : Mr. Syed Imtiaz Ali, Advocate
For Respondent : Mr. Gary Mukhopadhyay, Govt. Advocate

Hon'ble Shri Justice Vimla Singh Kapoor.

Order On Board

30/10/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicant who has been arrested in connection with Crime No. 252/2018 registered at Police Station- City Kotwali, Raipur, District Raipur (C.G.) for the offence punishable under Sections 294,341, 506(B),307/34 IPC.
2. As per prosecution case, on the date of the incident the applicant along with other co-accused persons assaulted complainant Monu Singh Thakur with the knife. Report was lodged by the complainant against the applicant and other co-accused persons.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the injuries caused to the applicant were simple in nature and that the co-accused was granted bail by the Court below on 18.09.2018. He further submits that the applicant is in jail since 06.08.2018, therefore, he may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for bail.
5. Considering the totality of the facts and circumstances of the case and the fact that the applicant is in jail since 06.08.2018, I am of the view that it is a fit case where the applicant can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 25,000/- with one surety in the like to the satisfaction to the concerned trial Court, for their appearance as and when directed.

Sd/-

(Vimla Singh Kapoor)
Judge

Santosh