

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 348 of 2019

- Vinod Suryawanshi S/o Devman Lal Suryawanshi Aged About 28 Years R/o Gram Jalso, Police Station Koni Tahsil And District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Koni Bilaspur District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Shri Rajkumar Gupta, Advocate.
For Respondent/State	: Shri Alok Nigam, GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

01/02/2019

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. 65/2018, registered at Police Station – Koni, District Bilaspur (C.G.) for the offence punishable under Section 294, 506 B, 326 of the IPC.
2. First bail was dismissed as withdrawn with liberty to file a fresh after two months vide order dated 06.09.2018 passed in MCRC No. 5746/2018.
3. As per prosecution story, on 28.02.2018, a report was lodged by one Vijay Kumar, wherein, it has been alleged that on 28.02.2018 itself, he along with Pradip Suryavanshi were going Bilaspur for some work and at around 9:30 AM when they reached near Semartal, the applicant came their on his motorcycle and abused them, used filthy language and also assaulted Pradip Suryavanshi with a knife on his back side due to which he sustained injuries. On the basis of above, offence has

been registered. The applicant is in custody since 28.06.2018.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due to some previous enmity. He further submits that the injuries suffered by the Pradip Suryavanshi are in simple nature, the applicant has no criminal antecedent, he is in custody since 28.06.2018, charge-sheet has already been filed and trial will like to take some time. Therefore, the applicant may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 28.06.2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. 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