

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 796 of 2019**

Nirdosh Ekka S/o Bhothar Ekka, aged about 40 years Caste Uraon R/o Village
Katkalo, Chataanpara, Police Station and Tahsil- Sitapur, District Sarguja (C.G.)

----Applicant

Versus

State of Chhattisgarh, Through: Police Station Sitapur, District Sarguja (C.G.)

---- Respondent

For Applicant	:	Mr. A.K. Prasad, Advocate
For Respondent	:	Mr. V.K. Agrawal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

14/05/2019

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 150/2018 registered at Police Station Sitapur, District Sarguja (C.G.) for the offence punishable under Sections 294, 506 (B) and 307 of the IPC.
2. As per prosecution story, on 08/10/2018 due to some previous dispute, the Applicant assaulted the Complainant Balrikim, as a result of which he sustained injuries on his lower left leg. On interference by Ankit and Kailash, the Applicant fled away from the spot. A report was made by the Complainant and on the basis of which, offence has been registered. The Applicant has been arrested on 08/10/2018.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the matter. He further submits that from

the evidence collected by the prosecution, prima-facie no offence under Section 307 of the IPC is made out against the Applicant. The Complainant has only received one injury on his left leg, which is not on vital part of the body. He prays that the Applicant is in custody since 08/10/2018, there is no criminal antecedent against the Applicant, charge-sheet has been filed and trial will take time, therefore, the Applicant may be released on bail.

4. Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, particularly, the evidence collected by the prosecution and that the Applicant is in custody since 08/10/2018, there is no criminal antecedent against the Applicant, charge-sheet has been filed and trial will likely to take time, I am inclined to release the Applicant 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 surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
(Arvind Singh Chandel)
Judge