

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2865 of 2019

- Deepak S/o Late L.K. Pandey Aged About 42 Years R/o 27 Kholi, Vikas Nagar, Near Sai Mandir, P.S.- Civil Lines, Tahsil And District- Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through SHO, Civil Lines, Police Station- Bilaspur, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Mr. Sunil Otwani, Advocate.
For Respondent/State	: Mr. KK Dewangan, Dy. G.A.
For Objector	: Mr. Ali Asgar.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

15/05/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 974/2018, registered at Police Station Civil Lines, District Bilaspur (C.G.) for the offence punishable under Section 307, 323 & 294 of the IPC and Section 25 of the Arms Act.
2. As per prosecution story, complainant of the case namely Ravindra Singh Thakur has lodged a report before the concerned police station alleging therein that the applicant has dashed one Raju Sharma by his car and also assaulted him through iron scratch and baseball bat due to some previous dispute between them, Raju Sharma sustained injuries and when complainant Ravindra Singh Thakur and one Manish Shrivastava tried to intervene, the applicant assaulted them also. On the basis of said report, offence has been registered. The applicant is in custody since 01.04.2019.
3. Learned counsel appearing on behalf of the applicant submits that the

applicant is innocent and has been falsely implicated in the present case. He further submits that Raju Sharma sustained four injuries out of which three are in simple nature and one injury is grievous that too on his leg. He further submits that on the basis of evidence available on record prima facie there is no offence under Section 307 of the IPC can be made out against him. The applicant is in custody since 01.04.2019, charge-sheet has already been filed and trial is likely to take some time. Therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State and objector opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 01-04-2019, charge-sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, 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 local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge