

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3809 of 2019**

- Munnalal S/o Dauram Dhivar Aged About 35 Years R/o Village Meu, Police Station Pamgarh, Civil and Revenue District- Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through District Magistrate Janjgir, District- Janjgir-Champa, Chhattisgarh, Through Police Station Pamgarh, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	: Shri Deepak Kumar Singh, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**19/06/2019**

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. 119/2019, registered at Police Station – Pamgarh, District – Janjgir-Champa, (C.G.) for the offence punishable under Sections 294, 506 (B), 307 of the Indian Penal Code.
2. In this case, Complainant namely Angan Bai, who is the mother-in-law of the present Applicant lodged a report against the present Applicant. Allegations against the present Applicant is that, he assaulted the Complainant with iron rod i.e. spade (rapa) due to which she sustained injuries in her parietal region. On the basis of the said report, offence has been registered against the Applicant. He has been taken into custody on 13.03.2019.
3. 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 dispute. He further states that, *prima facie*, no offence under Section 307 of the IPC can be made out against the present Applicant.

He also states that, injuries sustained by the Complainant is of simple nature. Applicant has no previous antecedents, he is in custody since 13.03.2019, charge-sheet has been filed and trial is likely to take some time. 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 13.03.2019 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge