

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4053 of 2019

- Mahesh Mahanand, S/o Anand Mahanand, Aged About 20 Years R/o Vinova Bhawe Nagar, Near Water Tank, Rajatalab, Police Station-Civil Line, Raipur, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Civil Line, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. B.L. Sahu, Advocate.
For Respondent	:	Mr. Avinash Kumar Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

16/08/2019

1. This bail first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.689/2018 registered at Police Station–Civil Line, Raipur, District– Raipur(C.G.) for the offence punishable under Sections 307 r/w 34 of Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 17.11.2018. This applicant has not committed any offence. He was simply present on the spot of incident. The main assailant in this case is one co-accused Jai Singh Mandavi. Similarly placed one co-accused Pawan Yadav @ Nanu has been granted bail by this Court, therefore, he may also be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident the applicant and the complainant both were riding motorcycle because of which they engaged in some quarrel in which the applicant slapped the complainant, therefore, the complainant called on his mobile to the police. Co-accused Jai Singh Mandavi came to the rescue of this applicant and then he abused and assaulted the complainant with a knife because of which one injury was caused on back of the complainant.
6. For the reason that this applicant is not the main assailant and his age only 20 years and he has no criminal history, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge