

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4575 of 2019**

- Mohd. Sarafraj Khan S/o Mohd. Ayaz Khan Aged About 23 Years R/o Raja Kinara Shop, Choursiya Colony, (Wrongly Mentioned As Calon), Police Station Tikrapara, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant. : Shri Pushpendra Kumar Patel, Advocate.
For Respondent. : Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

07/08/2019

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 11.05.2019 in connection with Crime No.251/2019 registered at Police Station : City Kotwali, District - Raipur (C.G.) for the offence punishable under Sections 294, 323, 324, 506-B, 307, 327 and 34 of the IPC and Section 25 and 27 of the Arms Act.
2. As per the prosecution case, on 10.05.2019, a complaint was made by the complainant, alleging in that, when he was going to the beetle shop of Amin along with his friend Rihan, at that time the applicant along with the other co-accused came there, and due to some previous enmity started

quarreling with him, and assaulted the complainant by knife, due to which he received injury on his leg and finger. Thereafter, the FIR was lodged against the present applicant and other co-accused. Based on this, the applicant was arrested on 11.05.2019.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submitted that the applicant is in custody since 11.05.2019 and trial will take some more time, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and the fact that the applicant is in custody since 25.06.2019, charge-sheet has not been filed yet, trial will likely to take some more time and looking to the material available on record, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed.
8. It is directed that the accused/applicant shall be released on bail on his furnishing a personal bond of Rs.25,000/- with one local surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-
(Rajani Dubey)
Judge