

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4807 of 2019**

- Amar Sahu S/o Shivkumar Sahu, aged about 20 years, R/o Kenwatpara, Ward No. 3 Sakri, Police Station- Sakri District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, through District Magistrate, Bilaspur District Bilaspur (C.G.)

---- Respondent_

For Applicant	:	Shri Anand Shukla, Adv.
For Respondent/State	:	Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.08.2019**

1. The accused/applicant has moved this bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 394/2019 registered at Police Station Civil Line, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 341, 307, 34 of IPC.
2. The prosecution story, in brief is that on 18.06.2019 at about 08 AM when complainant P.K. Panchayati working in the office of Nagar Palika Nigam, Bilaspur was gone for morning walk and was having also cycle at that point of time. Three unknown persons riding on motorcycle obstruct the complainant thrice and gave him threat not to spare and also assaulted the complainant with the means of wooden plank on the head and face of complainant due to which, complainant sustained injuries on nose. The matter was reported before the police station Civil

Lines, Bilaspur and case is registered against unknown persons vide Crime No. 0394/2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that after perusing the content of FIR itself, it is clear that the cycle on which the complainant was riding at the time of incident, he fell down due to breakage of frame of the bicycle and whatever the injuries complainant sustained, was due to accident. The applicant is in jail since 22.06.2019, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 22.06.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge