

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5328 of 2019

- Saif Ali S/o Late Shabbir Ali Aged About 23 Years R/o RDA Colony, Boriya Khurd, P.S. Tikrapara, District- Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P.S.- Tikrapara, District- Raipur, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Anchal Kumar Matre, Advocate.

For Non-applicant/State : Mr. C.B. Kesharwani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 10.06.2019 in connection with Crime No.392/2019, registered at Police Station- Tikrapara, District- Raipur, Chhattisgarh for offence punishable under Sections 294, 323, 506, 324 of I.P.C. and Sections 25 and 27 of Arms Act.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 10.06.2019 and the applicant has not committed any offence. Charge-sheet has been filed, therefore, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is a habitual offender and he has been prosecuted for three similar cases earlier. Therefore, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, the F.I.R. has been lodged and it is alleged that this applicant abused, threatened and assaulted the complainant with knife who happens to be the friend of his wife and caused injuries. Seizure of knife has been made from his possession. Hence, this case.
6. Considering that the charge-sheet has been filed and the case is now pending for trial, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge