

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5542 of 2019**

- Rupesh Sahu S/o Santuram Sahu Aged About 29 Years R/o Salhekala, Police Station Chuekhadan, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Chuekhadan District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Ms. Renu Kochar, Adv.
For Respondent/State	: Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 246/2018 registered at Police Station Chuekhadan, District-Rajnandgaon (C.G.) for the offence punishable under Section 307/34 of the IPC.
2. The prosecution story, in brief is that, on the date of incident, this applicant's father Santuram Sahu identified the complainant Siyaram Sahu as sorcerer and then assaulted him with a club and also threw chilly powder in his eyes. Thereafter, the present applicant assaulted the victim with a knife in his abdomen causing grievous injury to him. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 19.01.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant

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, detention period of applicant and further considering the facts that the present applicant is in jail since 19.01.2019 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**