

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5905 of 2019**

- Vijay Yadav S/o Late Brijkishore Aged About 39 Years Occupation- Government Teacher, Primary School Fathepur, Ambikapur, R/o Village Jhumarpara (Wrongly Mention In The Impugned Village Bhittikala) Post Bhittikala, Out Post Manipur, Thana And Tahsil Ambikapur, District- Surguja, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Police Station Out Post- Manipur, Thana- Ambikapur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Deepak Jain, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.11.2019**

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. 499/2019 registered at Police Station Out Post-Manipur, Thana-Ambikapur, District-Surguja (C.G.) for the offence punishable under Sections 147, 148, 149 and 307 of the IPC.
2. The prosecution story, in brief is that, on 18.08.2019 complainant Anita Yadav lodged an FIR against the applicant and other co-accused that on 17.08.2019, when she was celebrating her son's birthday with her family at about 7:30 pm. Rahul and other co-accused came in her shop, and bought cigarette and smoke on her face on this when dispute started then her brother came there and scolded to Rahul. After that Rahul called to his father present applicant (Vijay Yadav). Present applicant came there with other co-accused and threatened to the brother of the complainant and

stabbed him in the stomach with knife. 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. He further submits that as per MLC report injuries were simple in nature and charge-sheet has been filed. The applicant is in jail since 18.08.2019, 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 as per MLC report injuries were simple in nature. The present applicant is in jail since 18.08.2019 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**