

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5781 of 2019

- Jaman Irani S/o Shri Sarafat Ali Aged About 25 Years R/o Pandri Police Station Civil Line, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Azad Chowk, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Shri S.I. Ali, Advocate

For Respondent/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

07.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.203/2019, registered at Police Station Azad Chowk, Raipur, District Raipur (CG) for the offence punishable under Sections 294, 323, 506, 307, 34 of the IPC.
3. As per the case of prosecution, complainant/injured Nishant Choudhary lodged a report that on 29.6.2019 while he was going with his friend Manish Yadav to Momin Para, the applicant along some other persons met him and asked him about one Mukesh Baniya of their colony and when the complainant said that he has

not seen him, they assaulted him with hands and fists and thereafter they assaulted him with knife and ran away.

4. Learned counsel for the applicant submits that the applicant has not committed any offence. He submits that the applicant is not a main accused in the case only he was accompanying his friends and he has been falsely implicated. He submits that the applicant is in jail since 30.6.2019 and charge sheet has been filed and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and charge sheet has been filed, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

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