

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5821 of 2019

- Raju Bengali @ Raju Sahu S/o - Shree Late Munna Sahu Aged About 20 Years R/o - Near Shiv Mandir, Gali No. 02, Rajatalab District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Civil Lines, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

 For Applicant : Shri Waquar Naiyer, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

18.11.2019

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.385/2019, registered at Police Station Civil Lines Raipur, District Raipur (CG) for the offence punishable under Section 307 of the IPC.
3. As per the case of prosecution, the complainant lodged report against the applicant that 15 days prior to the date of incident, the applicant sat in front of his house in drunken condition and abused him and he anyhow drove the applicant from his house, but on 19.6.2019, when the complainant was sitting before Shiv Mandir, the applicant came and raise dispute and assaulted the complainant with knife and injured him.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and there was a small dispute

between the applicant and the complainant, on which a false report has been lodged by the complainant. He further submits that the applicant is in jail since 22.6.2019 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, in particular the nature of allegations against the applicant and the applicant is in jail since 22.6.2019, 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 in like sum 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