

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7067 of 2018

- Ajay Sonkar S/o Radheshyam Sonkar Aged About 24 Years R/o Vindhya wasini Ward Dhamtari, Police Station City Kotwali, District Dhamtari, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station City Kotwali, Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	: Shri Anil Gulati, Advocate.
For Respondent/State	: Shri Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/01/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 326/2018, registered at Police Station City Kotwali, District Dhamtari (C.G.) for the offence punishable under Sections 307 & 450 of the IPC.
2. As per the prosecution story, there was a love relationship between the applicant and the complainant namely Ku. Afsana from last 1 ½ years and they also ready to perform marriage with each other but family members of the complainant were not ready. Allegedly, on 15.07.2018, present applicant went to the house of the complainant and asked her to come along with him, when she denied, the applicant assaulted her with a knife and ran away from the place of incident. Thereafter, the matter was reported and the applicant has been arrested on 25.07.2018.
3. Learned counsel appearing on behalf of the applicant submits that

applicant is innocent and has been falsely implicated in the present case. He further submits that the complainant sustained simple injuries. On the basis of evidence collected by the prosecution *prima facie* there is no case under Section 307 of the IPC can be made out, the applicant is in custody since 25-07-2018, charge-sheet has already been filed and trial will take some time, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 14-09-2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge