

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5901 of 2019**

- Tauhid Ahmad son of Late Mohd. Hafid aged about 19 years, R/o Near Pujari School, Raja Talab, Police Station: Civil Line, Raipur, District Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through: Police Station: City Kotwali, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant.	:	Mr. D. Kushwaha, Advocate.
For Respondent.	:	Ms. Reena Singh, PL for the State

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/09/2019**

1. The accused/applicant has moved this bail application under Section 439 of Criminal Procedure Code, 1973, for releasing him on regular bail during trial in connection with Crime No. 251/2019 registered at Police Station City Kotwali Raipur District Raipur (C.G.) for the offence punishable under Sections 294, 323, 324, 506B, 307/34 of IPC and under Section 25, 27 of Arms Act.
2. The prosecution story, in brief, is that on 10.05.2019, at about 12.30 AM, complainant went to betel shop of Amin with his friend Rehan Ali. Meanwhile, the applicant and other co-accused came near the complainant and there were some dispute arisen between complainant and co-accused person due to previous enmity and, the present applicant assaulted the complainant.
3. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in crime in question. He also submits that the other co-accused, namely Sarfaraj Khan, has already been granted bail by this Court vide order dated 07.08.2019 in MCRC No. 4575/2019. 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, further considering the fact that the other co-accused, namely Sarfaraj Khan, has already been granted bail, 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**