

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6014 of 2019**

- Satyendra Pandey, aged about 22 years, son of Suryanarayan Pandey, resident of Saraswati Nagar, Near Kanch Godam, Police Station Kukurbeda, Raipur, Tahsil & District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Abhanpur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Shri Kamlesh Kumar Pandey, Advocate
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****14/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.248/2019, registered at Police Station – Abhanpur, District Raipur (C.G.) for the offence punishable under Sections 307, 452, 294, 323, 324, 34 IPC.
2. The prosecution story, in brief, is that co-accused Dhanne Gond entered the house of complainant Uttara Gond hurling abuses to Reshma, which was objected the complainant, on which, co-accused Dhanne Gond committed maarpeet with complainant. The present applicant and co-accused Mukesh Pandey also alleged to have joined the co-accused Dhanne Gond in committing maarpeet. Based on this, offence has been registered. Present applicant has been taken into custody 30.05.2019.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that the main accused Dhannendra Kumar Dhruw @ Dhanne Gond has already been granted bail by this Court, vide order dated 06.09.2019 in MCRC No.5173/2019. He also submits that the applicant is in custody since 30.05.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that co-accused Dhannendra Kumar Dhruw @ Dhanne Gond has already been granted bail by this Court, vide order dated 06.09.2019 (MCRC No.5173/2019), applicant is in custody since 30.05.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge