

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6458 of 2019

- Rajeev Mahant @ Tonu S/o Umend Das Mahant, Aged About 28 Years E W S 174 Maharana Pratap Nagar, Korba, District - Korba Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

 For Applicant : Shri Rajendra Patel, Advocate
 For Respondent/State : Shri Anil Tripathi, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

02.12.2019

1. Heard.
2. This is an 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 City Kotwali, District Korba(CG) for the offence punishable under Sections 294, 323, 506 B, 326, 34 of the IPC.
3. As per the case of prosecution, the applicant along with the co-accused Sandeep has assaulted the complainant with hands and fists and bat, due to which he received injuries.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that name of the applicant has not been mentioned in the FIR and main allegations are against the co-accused Sandeep; the applicant is in jail since

28.8.2019 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, main allegations are against the co-accused, 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