

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6271 of 2019**

- Deepak Thakur S/o Kewal Thakur Aged About 23 Years, R/o Sikola Bhatha, Police Station Mohan Nagar, District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Mohan Nagar, Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.P. Soni, Adv.
For Respondent/State	:	Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 98/2019 registered at Police Station Mohan Nagar, District-Durg (C.G.) for the offence punishable under Sections 307, 427, 294, 323, 506-B, 147, 149 of the IPC and 25, 27 of Arms Act.
2. The prosecution story, in brief is that, the complainant along with his friend namely Tushar had going to take the lunch at Bambay Awas on 11.03.2019 and at that time, outside the house, the present applicant and other persons abuses him and started to break the motorcycle and when the complainant pretested, the applicant and other co-accused persons assaulted him. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that other co-accused has already been granted bail in MCRC No. 4294/2019. The applicant is in jail since

28.03.2019, there is no likelihood of his case being decided in near future, 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, detention period of applicant and further considering the facts that other co-accused has already been granted bail in MCRC No. 4294/2019. The present applicant is in jail since 28.03.2019 and the trial is likely to take some time for its final disposal, 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**