

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6073 of 2019**

- Dhawaj Kumar Nishad S/o Devanand Nishad Aged About 45 Years, R/o Village Kotmar, Police Station Chakradharnagar, District Raigarh Chhattisgarh.

20---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Station Chakardharnagar District Raigarh, Chhattisgarh.

For Applicant	: Mr. Vineet Kumar Pandey, Adv.
For Respondent/State	: Mr. Vaibhav Kartikeya Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.11.2019**

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. 163/2019 registered at Police Station Chakradharnagar, District-Raigarh (C.G.) for the offence punishable under Section 307 of the IPC.
2. The prosecution story, in brief is that, the son of victim reported that the quarrel took place between the applicant and the victim in the meanwhile, the applicant assaulted to the victim by using axe, due to that he sustained injuries on his right hand. 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 the injuries are not grievous in nature. The applicant is in jail since 24.05.2019, 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 no grievous injury sustained. The present applicant is in jail since 24.05.2019 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**