

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6222 of 2019**

- Gopal Sona S/o Late Shankar Sona, aged about 27 years, R/o Bandhawapara, Near Parshad Office, P.S. Purani Basti, Raipur (C.G.)

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Shubhank Tiwari, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****07/11/2019**

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.190/2019, registered at Police Station – Purani Basti, District Raipur (C.G.) for the offence punishable under Sections 294, 506, 323 and 326 IPC.
2. The prosecution story, in brief, is that the complainant lodged a report alleging therein that some dispute took place between the applicant and complainant's brother-in-law (Jija) over parking of vehicle. When he tried to pacify the dispute, the applicant threatened him, committed maarpeet and also cut off his right thumb from tooth. Based on this report, offence has been registered. Present applicant has been taken into custody on 29.06.2019.

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 incident took place all of a sudden when the applicant was provoked by the complainant. He also submits that the applicant is in custody since 29.06.2019, charge sheet has been filed, the offence is triable by Judicial Magistrate First Class 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 facts and circumstances of the case, and further considering the fact that the offence is triable by Judicial Magistrate First Class, the applicant is in custody since 29.06.2019 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