

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6405 of 2019**

- Deep Mograj S/o Krishna Mograj Aged About 22 Years R/o Motinagar, Behind Saraswati Nagar, Saraswati Nagar Thana, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Office, Police Station Saraswati Nagar, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Sunita Sahu, Advocate.
For State	:	Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 138/2019 registered at Police Station - Saraswati Nagar, District Raipur (C.G.) for the offence punishable under Sections 294, 323 & 327 of IPC.
- The prosecution story in brief is that, complainant lodged a report to the concern police Station alleging therein that on 01.09.2019, at about 11.30 MP, he was going by motorcycle on the way of his house. On the way, applicant stopped the complainant and hurled abuses and committed marpeet with him with brick. On the basis of above facts, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is ready to furnish adequate surety and shall abide by all the directions and

conditions which may imposed by this Court. He next submits that the applicant is in jail since 02.09.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application and submits that there are five previous antecedents against the applicant.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that the offence is triable by Judicial Magistrate First Class 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge