

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6374 of 2019**

- Tikeshwar Prasad Sahu S/o Late Kanhaiyalal Sahu, aged about 37 years, R/o village Arjuni, Thana Dongargaon, District Rajnandgaon (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Dongargaon, District Rajnandgaon (C.G.)

---- Respondent

For Applicant	:	Shri Samir Singh, Adv.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****24/10/2019**

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.244/2019, registered at Police Station - Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Sections 294, 506, 323 and 326 of IPC
2. The prosecution story, in brief, is that complainant Prakash Koshre lodged a report alleging therein that on 07.07.2019, when his son Vikash Koshre consuming liquor with the applicant, they entered into quarrel in which the present applicant assaulted his son with bottle on his head. Based on this, offence has been registered. Present applicant has been taken into custody on 04.09.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that it is the complainant's son who first assaulted the present applicant and he has also filed a counter case against him. He also submits that the applicant is in custody since 04.09.2019, charge sheet has not been filed 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 04.09.2019 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