

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6529 of 2019**

- Dev Sagar @ Pardesi S/o Nandu Sagar Aged About 22 Years, Resident Of Nagjhar Samada, P.S. Bhawani Patna, District Kalahandi Orissa, At Present Resident Of Tarun Nagar, Pandri, P.S. Civil Judge, Raipur, Tahsil And District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer Police Station Civil Line, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Adv.
For Respondent/State	:	Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/12/2019**

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. 306/2019 registered at Police Station-Civil Line Raipur, District-Raipur (C.G.) for the offence punishable under Section 307/34 of the IPC.
2. The prosecution story, in brief is that complainant Rahul Bhoi has lodged a written complaint that after eating food, his friend Mayank Verma and he were going on the way of Pandri, at that time main accused person was shouting at Main road near transformer without any reason, when he stopped it, then 5-6 unknown persons have using filthy language and assaulted them by knife. 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 other co-accused persons have already been granted bail in MCRC Nos. 3992/2019 and 4858/2019 so the

present applicant may also be granted the benefit of bail. The applicant is in jail since 10.07.2019, 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 the other co-accused have already been granted bail and the present applicant is in jail since 10.07.2019 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**