

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6762 of 2019**

- Pahul Ahirwar S/o Rohit Ahirwar Aged About 22 Years, Resident Of Jarabhata Mini Basti Ward No. 08 Police Station Civil Line, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Lav Sharma, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/12/2019**

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. 548/2019 registered at Police Station-Civil Line, Bilaspur, District-Bilaspur (C.G.) for the offence punishable under Section 307/34 of the IPC.
2. The prosecution story, in brief is that complainant Prakash Sahani lodged a report that on 21.08.2019 at about 1:00 am. the applicant and one other co-accused Akash Kurrey intention to kill assaulted with knife to the complainant's elder brother Dharmaendra Sahani near little flower school ground and ran away. On the basis of memorandum knife was seized from the incident place. 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 charge-sheet has been filed and the

applicant is in jail since 22.08.2019, 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 present applicant is in jail since 22.08.2019 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**