

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6462 of 2019

- Virendra Kumar S/o Shri Ashok Rao Aged About 22 Years R/o Near Bijli Office, Mana Camp, Raipur, Tahsil Raipur, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Tikrapara, Raipur, District Raipur Chhattisgarh.

---- Respondent

 For Applicant : Shri Dashrath Kushwaha, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

28.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.364/2019, registered at Police Station Tikrapara, Raipur, District Raipur(CG) for the offence punishable under Sections 307, 34 of the IPC.
3. As per the case of prosecution, the applicant along with other co-accused persons assaulted one Vinod Dewangan by knife and when the complainant intervened, he was also assaulted by them.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. Main allegations are against the co-accused and the applicant has no active role in the incident; he was only accompanying the other co-accused persons. The

applicant is in jail since 25.5.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and main allegations are against the co-accused; and the applicant is in jail since 25.5.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE