

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6463 of 2019

- Khilendra Singh @ Bobby Rajput S/o Late Rajesh Rajput Aged About 21 Years R/o Ward No. 18 Durga Chowk, Shakti Nagar, Durg, Police Station- Mohan Nagar, Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. Police Station- Bemetara, District- Bemetara, Chhattisgarh, Through Govt. Pleader, Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Respondent

 For Applicant : Shri Vaibhav Govardhan, Advocate
 For Respondent/State : Shri Anurag Verma, 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.146/2019, registered at Police Station Bemetara, District Bemetara(CG) for the offence punishable under Sections 294, 506, 323, 326, 307/34 of the IPC.
3. As per the case of prosecution, on 15.1.2019, complainant Gagan Dubey had gone to his friend's birthday party where the applicant and other co-accused persons asked him to change the song, upon which the complainant said that after finishing the running song, he will change the song then the applicant and the co-accused persons assaulted him with knife thrice, due to which he received injuries.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. There was a small dispute between the applicant and complainant on account of playing of song in the party and a scuffle took place. The applicant is in jail since 12.7.2019 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 the applicant is in jail since 12.7.2019, 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