

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6494 of 2019**

- Gudda Yadav @ Gopal S/o Mevalal Aged About 32 Years, R/o Near Shiv Mandir, Sirgitti, Police Station - Sirgitti, District - Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station-Sirgitti, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Adv.
For Respondent/State	: Mr. Vaibhav K. Agrawal, PL.
For Objector	: Mr. Ashish Shukla, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/11/2019**

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. 275/2019 registered at Police Station Sirgitti, District-Bilaspur (C.G.) for the offence punishable under Sections 294, 323, 307 and 506-B read with Section 34 of the IPC.
2. The prosecution story, in brief is that on 25.08.2019 the present applicant along with other co-accused persons assaulted the victim by hands, fists and sharp edged weapon knife. Based on this offence has been registered against the present applicant and other co-accused.
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 main allegation is against the other co-accused persons and the present applicant is in jail since 26.08.2019, 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 and objector oppose 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 charge-sheet has been filed and the main allegation is against the other co-accused persons. The present applicant is in jail since 26.08.2019 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**