

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6491 of 2019**

- Jhaleshwar @ Choti S/o Late Baldev Sahu Aged About 24 Years, R/o Shiv Nagar, Nevai Bhatha, Police Station Nevai, Tahsil And District-Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Utai, District- Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Aman Yadav, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL.

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. 342/2018 registered at Police Station Utai, District-Durg (C.G.) for the offence punishable under Sections 324, 326, 147 and 148 of the IPC.
2. The prosecution story, in brief is that on 21.10.2018 complainant Sonal Sahu lodged a report that on 20.10.2018 the applicant and other co-accused persons had inflicted grievous injury to Gajendra with the help of weapon. Based on this offence has been registered against the present applicant and other co-accused persons.
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 present applicant has not inflicted any grievous injury on the injured Gajendra and the applicant is in jail since 09.09.2019, 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 offence is triable by Judicial Magistrate First Class. The present applicant is in jail since 09.09.2019 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**