

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6759 of 2019

- Bhupendra Nayak S/o Shri Mekram Nayak Aged About 24 Years Resident Of Village - Deradih, Chauki - Girodpuri, Thana - Gidhauri (Tundra), District - Balodabazar Bhatapara Chhattisgarh....(In Jail)

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Gidhauri (Tundra), District Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Ms. Supriya Upasne, Advocate
For Respondent /State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

29/11/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.501/2019 registered at police station Gidhauri (Tundra) District Baloda Bazar, Bhatapara (CG) for the offence punishable under Section 307 IPC.

Case of the prosecution in brief is that a report was lodged by the complainant that a meeting was going on between the friends in the locality, where the applicant came and suddenly attacked with knife on his neck, forehead and nose.

Counsel for the applicant submits that the applicant has been

falsely implicated in the crime. He submits that the ingredients of Section 307 IPC are completely missing. He submits that the applicant is in jail since 17.08.19; the charge sheet has been filed and looking to the conduct of the prosecution, it is clear that the trial will take time for its conclusion and therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge