

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6942 of 2019**

- Vishnu Sethiya S/o Chhenu Sethiya Aged About 25 Years, R/o Sector-4, Sadak No. 23, Quarter No. 14/ B, Bhilai, Tahsil And District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Bhilai Bhatthi, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Jitendra Gupta Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/12/2019**

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. 103/2019 registered at Police Station-Bhilai Bhatthi, District-Durg (C.G.) for the offence punishable under Sections 307, 34 and 201 of the IPC.
2. The prosecution story, in brief is that on 08.06.2019 at about 6:30 pm, Aditya Singh had gone to Sector-3 by Activa at that time, near Bargad Tree, suddenly one child had felt down in the ground and on account of which, at about 8:30 pm, Bhim Sethiya and Harish Sethiya came to the house of complainant and all persons had started to abuse and make threat and further on 09.06.2019 they further abused and threatened on phone and on account of which, the complainant Aditya Singh was very much threatened and conveyed this fact to Rajvinder Singh and Jagdish. Rajvinder Singh was talking regarding the compromise with Bhim Sehtiya and at

about 11:00 in the night, the complainant came to know that Rajvinder Singh, Jagdish and Subham Sharma had assaulted to the person of Bhim Sethiya, Harish Sethiya, Manoj Sethiya and Vijay Singh and other persons with the help of knife and Gupti. Thereafter, they were taken to the hospital for treatment. Based on this, offence has been registered against the present applicant.

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 applicant is in jail since 14.07.2019, 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 present applicant is in jail since 14.07.2019 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