

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8722 of 2018**

Leeladhar Nishad S/o Late Shri Artilal Nishad Aged About 20 Years
Occupation Labour, R/o Village Jatri, Tahsil Pusaur, District Raigarh
Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through The Officer In Charge Of Police
Station Pusaur, District Raigarh Chhattisgarh, District : Raigarh,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Roop Naik, Advocate
For the State	:	Shri R.K. Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**03/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.124/2018 registered at Police Station Pusaur, District Raigarh (C.G.) for the offence punishable under Section 326/34 of IPC and Section 5(2)(v) SC and ST (Prevention of Atrocities) Act 1989 (section 5(2)(v) of ST/SC (Prevention of Atrocities) Act has been inserted after filing of the charge-sheet.
3. Case of the prosecution, in brief is that complainant Ku. Manisha Sarthi is aged about 19 years old, she is resident of village Regda. On 06/07/2018 when she was returning back from the school applicant came by bike and threw some heated substance on her, as a result her neck, lips, face, throat, left hand were burned.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, he is in custody since 09/07/2018, the trial will take its own time, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Trial Court is directed to expedite the trial as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge