

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7064 of 2019**

- Sangam Nishad son of Shri Chhabilal Nishad, aged about 20 years, resident of Sarvodaya Nagar, Pachpedinaka, Near Shitla Mandir, Police Station New Rajendra Nagar, Raipur, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station - New Rajendra Nagar, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Ms. Sunita Sahu, Adv.
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****19/12/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.200/2019, registered at Police Station - New Rajendra Nagar, Raipur (C.G.) for the offence punishable under Sections 341, 294, 506-B, 323, 307, 34 IPC.
2. The prosecution story, in brief, is that the complainant made a report in police station alleging therein that some disputed cropped up between him and the accused persons at petrol pump over filling of petrol in which the present applicant along with co-accused assaulted the complainant and his friends causing grievous hurt. Based on this, offence has been registered. The present applicant has been taken into custody on 26.05.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She

further submits that there is no medical report to the effect that the injury was sufficient to cause death in ordinary course of nature. She also submits that vide order dated 30.08.2019 passed in MCRC No.4914/2019, the co-accused has already been granted bail by this Court. It is next submitted that the applicant is in custody since 26.05.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that co-accused has already been granted bail, the applicant is in custody since 26.05.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge