

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6926 of 2019**

- Dhaneshwar Yadav S/o Rambharos Aged About 26 Years, R/o Village Sivani, Tahsil And Police Station Champa, District Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The Police Station Baradwar, District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Rajni Soren, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

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

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. 127/2019 registered at Police Station-Baradwar, District-Janjgir-Champa (C.G.) for the offence punishable under Sections 324, 459 and 307 of the IPC.
2. The prosecution story, in brief is that the complainant lodged a written report that his nephew called him and informed that when the complainant's elder brother had gone to Bilaspur for work, his wife Gomti and his son Vinay were in the house. Complainant brother's brother-in-law who is the present applicant/accused came to visit his in-laws house. Applicant's sister-in-law Gomti and Vinay were sleeping in the room upstairs. At about 11 pm. he went to his sister-in-laws room and hit her with an iron pan, both Gomti and Vinay were injured. 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 prosecution story has not been supported by the victim. The applicant is in jail since 25.06.2019, 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 prosecution story has not been supported by the victim. The present applicant is in jail since 25.06.2019 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**