

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6993 of 2019

- Amit Sinha S/o Heera Lal Sinha Aged About 30 Years (Wrongly Mentioned In Order Sheet Ashish Sinha And It Has Been Corrected In The Record Of Trial Court), R/o Khamtarai, District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Azad Chowk, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Dashrath Kushwaha, Advocate
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

16/12/2019

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.203/2019 registered at police station Azad Chowk, Raipur district Raipur (CG) for the offence punishable under Sections 294,323,506,307 and 34 IPC.

Case of the prosecution in brief is that report was lodged by injured Nishant Choudhary alleging that the applicant along with the co-accused with an intention to commit murder assaulted him with knife.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the main accused has already been granted bail by this Court in M.Cr.C. No. 5781/2019 and therefore the present applicant may also be granted similar benefit. He submits that the applicant is in jail since 01.08.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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