

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9302 of 2018

- Takesh @ Rakesh Pandey S/o Shri Bhuwan Lal Pandey, aged about 18 years, By Caste-Kumhar, Occupation- Student Class 11th R/o Village Farouda, Thana-Tendukona, Tehsil-Bagbahara, Civil & Revenue Distt. Mahasamund. (C.G.)

---- Applicant

Versus

- The State of Chhattisgarh Through The Station House Officer, Police Station – Pithoura, District- Mahasamund (C.G.)

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate.
For Respondent/State	: Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/01/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 216/2018, registered at Police Station – Pithoura, District- Mahasamund (C.G.) for the offence punishable under Section 307 of the IPC.
2. As per prosecution story, on 27.10.2018 due to some financial dispute between the complainant and the present applicant, allegedly the applicant assaulted the complainant Lokesh Kumar Nayak with a sharp weapon due to that, he sustained injuries. Thereafter, the matter was reported. On the basis of said report offence has been registered against the present applicant and he has been arrested on 27.10.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He

further submits that on the basis of evidence collected by the prosecution *prima facie* no offence under Section 307 of the IPC can be made out against the present applicant, he is in custody since 27.10.2018 and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that, the applicant is in custody since 27.10.2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- 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.

Sd/-
(Arvind Singh Chandel)
Judge