

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9576 of 2018

- Vijay Shankar S/o Mani Shankar Aged About 33 Years R/o Mandanpur Post Singhari, Police Station Ratanpur District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ratanpur District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Shri Umakant Singh Chandel, Advocate.
For Respondent/State	: Shri Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

11/01/2019

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. 301/2018, registered at Police Station Ratanpur, District Bilaspur (C.G.) for the offence punishable under Sections 307, 294, 506 & 323 of the IPC.
2. As per the prosecution story, on 19-08-2018 Sanjay Mathur uncle of the injured person made a report wherein it has been stated that on 15.08.2018 at about 8:30 PM when the injured along with the present applicant, Chandrashekhar, Dharmendra were taking liquor together, allegedly some dispute arose between the injured and the present applicant and the applicant assaulted the injured person with a knife, due to that he sustained injuries on his stomach. On the basis of said report, offence has been registered. The applicant is in custody since 31.08.2018.
3. Learned counsel appearing on behalf of the applicant submits that applicant is innocent and has been falsely implicated in the present

case. He further submits that on the basis of evidence collected by the prosecution prima facie no case under Section 307 of the IPC can be made against the applicant. The applicant is in jail since 31-08-2018, charge-sheet has already been filed and trial will likely to take some time to conclude, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 31-08-2018, charge-sheet has already been filed and trial will likely to take some time to conclude, 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 surety in the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge