

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10000 of 2018**

- Sitaram S/o Likhiram @ Rikhiram, Aged About 22 Years R/o Village Bakarkuda, Out Post Malhar, P. S. and Tahsil Masturi, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer Out Post - Malhar, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivang Dubey, on behalf of Shri Shailendra Dubey, Advocates.
For Respondent/State	: Shri K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**18/01/2019**

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. 574/2018, registered at Police Station – Masturi, District – Bilaspur, Chhattisgarh, for the offence punishable under Sections 294, 323, 327, 506 of I.P.C.
2. As per the prosecution story, on 12.11.2018, Complainant Rajesh Yadav lodged a report wherein it has been alleged that while he was grazing his cattle, the present Applicant came there and demanded some money for consuming liquor, on refusing, the Applicant assaulted the Complainant with the wooden stick on his head, due to which the Complainant sustained injuries on his vital parts of the body. On the basis of the said report, offence has been registered against the present Applicant and he has been taken into custody on 13.11.2018.

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 charge-sheet has been filed and except offence u/s 327, other offences are bailable. The Applicant is in the custody since 13.11.2018 and trial is likely to take some time. Therefore, he may be enlarged 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 13.11.2018 and 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 executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge