

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 17 of 2020**

Rahul @ Kaila Sao, Aged about 19 years, S/o Shri Om Prakash Sao, R/o- Saksharta Chowk, Odissa Mohalla, Camp -01, Bhilai, District Durg (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through Officer In charge, P.S. - Chhawani, Police Bhilai, District – Durg (C.G.)

----Non-applicant

For Applicant : Mr. Achut Tiwari, Advocate.
For Non-applicant/State : Mr. Vaibhav Kartike Agrawal, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****11/02/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 604/2019 registered at police Station Chhawani, District Durg (C.G.) for the offence punishable under Sections 294, 506-B, 323, 307 and 452 read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that complainant Smit Raziya Begum lodged a report alleging that some co-accused persons were beating her son and his friends, on such a complaint, police has investigated the matter and also implicated the present applicant in the instant case.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as there is no evidence available on record to connect the applicant with

the crime in question. He further submit that applicant is in detention since 16.10.2019; charge sheet has already been filed and the trial is likely to take some time for its final disposal and, therefore, the applicant should be enlarged on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary.

(5) Taking into consideration the facts & circumstances of the case; particularly the facts applicant is in detention since 16.10.2019; charge sheet has already been filed; trial is likely to take some time for its final disposal and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

D/-

