

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 14 of 2020**

Sanjaydas, son of Anjordas, aged about 25 years, Caste Panika, Resident of village Durena, Thana Deepka, District – Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station – Deepka, District Korba (C.G.)

----Non-applicant

For Applicant : Mr. Vikash Pandey, Advocate.
For Non-applicant/State : Mr. B.L. Sahu, 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. 247/2019 registered at police Station Deepka, District Korba (C.G.) for the offence punishable under Sections 452, 294, 323, 506 & 325 of the Indian Penal Code and Sections 4 & 5 of the C.G. Tonahi Pratadna Nivaran Adhiniyam.

(2) Case of the prosecution, in brief, is that, applicant unauthorizedly entered into the house of the complainant and committed *mar peet* with him and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that applicant has been falsely implicated in the crime 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 06.12.2019; and the alleged offences are triable by Judicial Magistrate, First

Class and as the trial is likely to take some for its final disposal, the applicant may be released on bail.

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

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

(5) Taking into consideration the facts & circumstances of the case; particularly the facts that applicant is in detention since 06.12.2019; alleged offences are triable by Judicial Magistrate, First Class; trial is likely to take some for its final disposal; no custodial interrogation is required; and without further commenting on merits; 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 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/-

