

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 249 of 2020

- Avtar S/o Pradeep Kalsarpe Aged About 28 Years R/o Near Risali Talab, Police Station Navai, District Durg, At Present Raipur Naka, Durg, Police Station Durg, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Chowki Padnabhpur, District Durg Chhattisgarh.

---- Respondent

For Applicant	: Shri Jitendra Gupta, Advocate
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 685/2019 registered at police station Padmanabhpur, District Durg (CG) for the offence punishable under Section 307/34 IPC.

As per prosecution case, report was lodged by the complainant alleging that on the date of incident, at about 11.00 p.m. the applicant and the co-accused have assaulted the victim Shahid with stone as a result of which he sustained injury.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the injury sustained by the victim was simple in nature. He submits that the applicant is in jail since 26.07.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge