

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 75 of 2020**

- Prakash Singh S/o Mithu Singh Aged About 25 Years, R/o Caste - Gond, R/o Village - Ganeshpur (Bhagwanpara), Police Station And Tahsil - Ramanujnagar, District - Surajpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station - Ramanujnagar, District - Surajpur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. R.V. Rajwade, Adv.
For Respondent/State	:	Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 177/2019 registered at Police Station-Ramanujnagar, District - Surajpur (C.G.) for the offence punishable under Sections 294, 506, 323 and 307/34 of the IPC.
2. The prosecution story, is that on 29.10.2019 complainant Ram Singh lodged a report that on 09.10.2019, he was enjoying cultural programme at Village Ganeshpur and thereafter he was sitting in fruits trolley, at that time, the applicant and co-accused Nitesh came there and asked him for consuming liquor and they went to house of Satish Yadav and consumed liquor. Thereafter, the said Nitesh and present applicant abused the complainant and assaulted him in his head, due to which, he received severe injury and admitted to the Hospital. Based on this, offence has been registered against

the present applicant and other co-accused person.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the FIR has been lodged after about 20 days from the date of incident and the present applicant is a Government Servant. The applicant is in jail since 23.12.2019, there is no likelihood of his case being decided in near future, therefore, the present 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 for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the FIR has been lodged after about 20 days from the date of incident and the present applicant is a Government Servant and applicant is in jail since 23.12.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. 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.

Sd/-
(Rajani Dubey)
Judge