

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 199 of 2020**

- Bhanu Pratap Gupta S/o Shri Murali Prasad Gupta Aged About 30 Years R/o Village Hasuwa, Thana Gidhouri, Tahsil Kasdol, District Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh, Through : The Station House Officer, Gidhouri, District Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Sahu, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24/02/2020**

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. 261/2019 registered at Police Station-Gidhouri, District - Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 307 of the IPC.
2. The prosecution story, in brief is that, complainant Vijay Kaiwart lodged a report that on 17.11.2019 at about 8:00 pm., when he along with his two friends was going to Rampur from Village Baloda by Motorcycle, on the way near Sheetla Mandir, Village Hasuwa, applicant was trying to stop them but they couldn't stop and after some time when they returned, to know who was on the way, at that juncture some hot talk has been taken place between them, applicant caused injury with knife to Chhavishankar Dewangan and said injured was admitted in the hospital. Based on this, offence has been

registered against the present applicant.

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 charge-sheet has been filed and the applicant is in jail since 18.11.2019, 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 applicant is in jail since 18.11.2019 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