

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 568 of 2020**

- Jagdish Prasad Kol S/o Dayaram Kol Aged About 23 Years (Wrongly Mentioned In The Bail Rejection Order As Gayaram), R/o Village Kanhari, Police Station Gourela, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Station Gourela, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Yogendra Chaturvedi, Adv.
For Respondent/State	:	Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/03/2020**

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. 310/2019 registered at Police Station Gourela, District-Bilaspur (C.G.) for the offence punishable under Sections 458 of the IPC.
2. The prosecution story, in brief is that, on 12.10.2019 complainant Arun Shikla lodged a report that on 11.10.2019, when he was at Village-Dhamnikala with his wife, his twins daughters Shakshi and Manshi were at the house and his son Vivek Kumar was also there, at about 11:30 pm., applicant/accused entered into the house of complainant and assaulted his daughter Manshi and as a result of which she sustained grievous injuries on her right hand and wrist. 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 26.10.2019, 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 offence is triable by Judicial Magistrate First Class. The applicant is in jail since 26.10.2019, 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**