

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 426 of 2020**

- Ajeet Rai S/o Paras Rai Aged About 38 Years Sakin Laxmi Nagar Sabji Mandi Ward Number 05, Supela, Thana- Supela Bhilai, Tehsil And District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : District Magistrate Durg, District : Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Avinash Chand Sahu, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.
For Objector	:	Ms. Akshara Amit on behalf of Mr. Ashutosh Mishra, Adv.

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

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. 1010/2019 registered at Police Station - Supela, District - Durg (C.G.) for the offence punishable under Sections 294, 324, 506, 327, 307, 34 of the IPC.
2. The prosecution story, in brief is that, the complainant lodged a report that applicant and other co-accused persons demanded money from the complainant for drinking wine, on denial of complainant, the present applicant used filthy language, threatened to kill him and assaulted with knife due to which complainant sustained grievous injuries on chest. 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 27.10.2019, 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. Learned counsel for the objector opposes the bail application and submitted that the applicant is a habitual offender and in this case applicant assaulted the complainant with the help of knife due to which complainant sustained grievous injuries on chest and back.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 27.10.2019 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.
8. 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