

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 496 of 2020**

- Homendra Kurre, S/o Dilip Kurre, Aged About 25 Years, R/o Nayak Bandha, Police Station- Abhanpur, Tahsil & District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station- Abhanpur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Lukesh Kumar Mishra, Adv.
For Respondent/State	: Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

05.03.2020

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. 581/2019 registered at Police Station- Abhanpur, District- Raipur, (C.G.) for the offence punishable under Sections 294, 506, 323, 307, 34 of IPC
2. The prosecution story, in brief is that, a quarrel took place between the complainant and the present applicant for acquisition of land. Thereafter, complainant called some persons including his sons namely Bhudhar Sahu and Shivam Sahu, during the said quarrel, the brother of the applicant assaulted Shivam and Bhudhar with knife with an intention to kill them. Thereafter, 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 nothing has been seized from the possession of the applicant. The applicant is in jail since 13.11.2019, 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, and further considering the facts that the applicant is in jail since 13.11.2019 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**