

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 602 of 2020**

- Lalan Yadav S/o Bachchha Ram Yadav Aged About 45 Years Occupation - Agriculturist, R/o Village Amal Bhatthi (Devi Tikra), Police Station Darima, District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Darima, Ambikapur, District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant	:	Shri V.K. Pandey, Advocate.
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/03/2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.131/2019 registered at Police Station Darima, District Suguja (C.G.) for the offence punishable under Sections 147, 148, 149, 307/34 of the IPC.
2. It is the case of the prosecution that the complainant lodged a report that on 13.10.2019 at 8.00 am when she along with her husband was going to graze the cattle, the applicant along with other accused persons came on the way forming an unlawful assembly in furtherance of common object and assaulted her husband with axe and lathi danda and her brother in law intervened, they inflicted injuries to him and they also assaulted the complainant.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime. He submits that on account of previous land dispute, a quarrel had taken place on the date of incident, in which, the complainant and her husband sustained the injuries. He further submits that other co-accused persons have been enlarged on anticipatory bail by this Court in MCRC(A) No.1939/2019, and the applicant is in custody since 14.10.2019 and trial is likely to take some time for its final disposal, therefore, he may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant; detention period of the applicant and other co-accused persons have been enlarged on anticipatory bail by this Court, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge

sunita