

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 595 of 2020**

- Mahboob Haidar S/o Wajir Haidar Aged About 35 Years Resident Of Lakhanpur, Police Station And Tahsil Lakhanpur, District Surguja Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Udaypur, District Surguja Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Anil Gulati, Advocate.
For Respondent/State	:	Mr. Shameer Sharma, Dy. G.A.
For Objector	:	Mr. Wasim Miyan, Advocate.

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 the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 04/2020 registered at Police Station Udaypur, District Surguja (C.G.) for the offence punishable under Sections 294, 506, 323, 186, 353, 332, 333 & 307 of the IPC.
2. As per the prosecution case, brief facts of the case are that complainant, who is posted as Cooperative Development Officer at Udaypur in the office of Sub Registrar Cooperative Society at Ambikapur, on 06.01.2020, during the enquiry, told the applicant to handover the charge, on that the applicant assaulted him with hand and fist. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that applicant is also a government servant and complainant misbehaved with the applicant, due to which, some hot talks took place, consequently, a brickbat arose between them. He next added that the injuries are simple in nature and the applicant is in jail since 07.01.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.
4. Per contra, State counsel and counsel for Objector oppose 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, looking to the detention period of the applicant i.e. since 07.01.2020, as 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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu