

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 612 of 2020**

- Vijay Sahu @ Ritik S/o Shri Sunil Sahu Aged About 19 Years R/o Behind R.D.A. Building, Jorapara, Police Station Soudhapara, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Moudhapara, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C. R. Sahu, Adv.
For Respondent/State	:	Ms. Akshara Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/03/2020**

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. 194/2019 registered at Police Station Moudhapara, District-Raipur (C.G.) for the offence punishable under Sections 294, 506-B, 324, 326, 341, 307, 34 of IPC.
2. The prosecution story, in brief is that, complainant made a complaint that on 11.10.2019 at about 4:00 am., in the morning injured was going for tea at Badaipara and when he reached at Agrasen Bhawan Jorapara road at that time, two unknown persons came by scooty at nearby injured person and one of them said that he has to physical relationship with him, when injured refused to it, then they assaulted with knife to the injured. Based on this offence has been registered against the present applicant and another co-accused.
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 the charge-sheet has been filed and the main allegation is against the co-accused Subham. He next submits that the applicant is in jail since 13.10.2019, 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 main allegation is against the co-accused person. The applicant is in jail since 13.10.2019, 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**