

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 756 of 2020**

- Raju @ Rajkumar S/o Ghanshyam Gupta Aged About 46 Years R/o Lalkhadan, Police Station Torwa, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Torwa, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dr. Kumaresh Tiwari, Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/03/2020**

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. 241/2019 registered at Police Station Torwa, District-Bilaspur (C.G.) for the offence punishable under Sections 323, 324, 506-B, 307, 34 of IPC.
2. The prosecution story, in brief is that, on 25.07.2019 the present applicant with the help of other co-accused persons tried to demolish the old house of one Lakhan Gupta and when Lakhan Gupta tried to stop them, they have threatened him to kill and thereafter applicant has assaulted him with a knife on his back. Based on this offence has been registered against the present applicant and other co-accused persons.
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 injuries sustained by the complainant and his wife was simple in nature. He next

submits that the other co-accused persons have already been granted anticipatory bail in MCRCA No. 1368/2019, so the present applicant may also be granted benefit of bail. The applicant is in jail since 26.07.2019, 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 applicant is in jail since 26.07.2019, 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**