

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 890 of 2020**

- Deviprasad Kaushik S/o Radheshyam Kaushik Aged About 21 Years R/o Village Chhatouna, Police Station Chakarbhata, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner**Versus**

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

---- Respondent

For Applicant	:	Shri Akhtar Hussain, Advocate
For Respondent	:	Shri Vinod Tekam, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****20/03/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.248/2019, registered at Police Station – Chakarbhata, District Bilaspur (C.G.) for the offence punishable under Sections 294, 506-II and 307 IPC.
2. Brief facts of the case are that on 04.12.2019, victim Dashrath Lal Kaushik reported the matter to police station Chakarbhata alleging therein that the present applicant assaulted him and his wife with knife as a result of which they sustained injuries on vital part of the body. Based on this, offence has been registered. The present applicant is in custody since 04.12.2019.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the injury sustained by the victim are simple in nature they remained in hospital only for 2-3 days.

He also submits that the applicant is in custody since 04.12.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the complainant/injured remained in hospital for two-three days, the applicant is in custody since 04.12.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge