

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 970 of 2020**

- Falit Rajwade S/o Shree Rajjan Ram Rajwade Aged About 36 Years Occupation Service (Peon) R/o Village Badwar, Police Station Sonhat, Tahsil Sonhat, District Korla, Chhattisgarh.

**----Applicant****Versus**

- State Of Chhattisgarh, Through : Station House Officer, Anusuchit Jati Janjati Kalyan Thana/ Ajak Thana, Baikunthpur, District Korla, Chhattisgarh.

**---- Respondent**


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| For Applicant        | : | Mr. Mahendra Dubey, Adv. |
| For Respondent/State | : | Ms. Akshra Amit, PL.     |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****05/03/2020**

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. 43/2019 registered at Police Station - Anusuchit Jati Janjati Kalyan Thana/Ajak Thana, Baikunthpur, District - Korla (C.G.) for the offence punishable under Sections 294, 506, 436, 34 of the IPC and 3(2)(iii-iv) of the SC & ST (Prevention of Atrocities) Act.
2. The prosecution story, in brief is that, the complainant Sonalal lodged a report that complainant made a hut of plastic and bushes on the Government land where complainant had been living with his family. On 09.12.2018 at about 8:00 pm., when complainant was sleeping outside his hut at that time the present accused and another co-accused came there, used filthy language and threatened the complainant to kill him. On this complainant ran away along

with his family from there, thereafter, the applicant and co-accused set fire to the hut. 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 applicant is in jail since 11.01.2020, 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 11.01.2020 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**