

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1700 of 2020

- Vikas Narang @ Golu S/o Vijay Narang, Aged About 23 Years, R/o Village Okhara, Police Station- Nandini Nagar, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The District Magistrate Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Ms. Swati Verma, Advocate.

For Non-applicant/State – Ms. Hamida Siddiqui, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-05-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 18-12-2019 in connection with Crime No.380/2019 registered at P.S. -Nandini Nagar, District Durg, Chhattisgarh for the offence under Section 294, 323 and 307 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. Case of attempt to murder is not at all made out, it had been a simple altercation in which the applicant was also a person who was beaten and assaulted by the victim and her family. The applicant is in jail since 18-12-2019. Charge sheet has been filed. Therefore, it is prayed that the applicant be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the offence alleged against the applicant is of a grave nature and objection has been raised particularly in the manner the offence has been committed that the applicant forcefully entered into the house of the victim expressing his love for her and on being accosted by her family members he

made assault, therefore, there is no guarantee that he will not repeat the offence again if he is released on bail. Therefore, his application may be rejected.

4. Heard learned counsel for the parties and perused the documents.

5. The case against the applicant is this, that he arrived in front of the house of the victim and by calling her name expressed his love, when injured Pankaj Adil and others came to intervene and give advise at that time the applicant assaulted Pankaj Adil causing him one injury on his neck.

6. As per details given by the Deputy Advocate General that description of injury is that of incised wound only and further the circumstances under which the incident has taken place and also for the reason that there is likelihood of delay in conclusion of the trial, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. On condition that the applicant will not influence the witnesses and he will not repeat the crime it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge