

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2219 of 2020**

- Shobhit Ram Sahu S/o Ganesh Ram Sahu, aged about 30 years, R/o village Bhothli, Thana & District Balod (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through : SHO P.S. Balod, District Balod. (C.G.)

---- Respondent

For Applicant	:	Shri Avinash Chand Sahu, Advocate
For Respondent	:	Shri Ayaz Naved, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/06/2020**

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.445/2019, registered at Police Station - Balod, District Balod (C.G.) for the offence punishable under Sections 307 IPC.
2. The prosecution story, in brief, is that on 16.10.2019, a quarrel took place between the present applicant and complainant on account of illicit relationship of applicant's wife with the complainant in which the applicant is alleged to have assaulted the complainant and inflicted stab injuries on his body causing grievous hurt. Based on this, offence has been registered. The present applicant has been taken into custody on 20.10.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the injuries sustained by the injured are simple in nature. He also submits that the applicant is in custody since 20.10.2019, 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 record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence, nature of injury sustained by the complainant/injured and further considering the fact that the applicant is in custody since 20.10.2019, 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.
9. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge