

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3875 of 2020**

- Jaikishan Yadav, S/o Raju Yadav, Aged About 20 Years, R/o Village- Pacharipara, Tehsil & District- Durg (C. G.).

---- Applicant**Versus**

- State of Chhattisgarh, through Police Station- Durg, District- Durg (C. G.).

---- Respondent

For Applicant : Ms. Swati Verma, Adv.

For Respondent/State : Mr. Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.08.2020**

1. Heard on admission.
2. Admit.
3. 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. 312/2020 registered at Police Station- Kotwali, District- Durg (C.G.) for the offence punishable under Sections 147, 148, 149, 294, 506, 307, 34 of IPC.
4. The prosecution story, in brief is that, on 07.05.2020, at about 09.30 P.M., complainant was talking to his friends at that time present applicant along with other co-accused persons came there and abused him and also assaulted him with sharp sword with an intention to kill him. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. She further submits that the complainant has sustained no grievous injuries and charge-sheet has been filed. The applicant is in jail since

08.05.2020 and there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the applicant is of serious in nature, therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the complainant has sustained no grievous injuries and charge-sheet has been filed. The applicant is in jail since 08.05.2020 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.
9. 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**

Ruchi