

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5100 of 2020**

- Golu, S/o Sukhra Baloniya, Aged About 25 Years, Caste- Maalvi, R/o Mahaveer Nagar, Chhota Baagdada, Indore, P.S.- Indore, District- Indore (M.P.).

---- Applicant**Versus**

- State of Chhattisgarh, Through- District Magistrate, District- Janjgir-Champa (C. G.).

---- Respondent

For Applicant	: Mr. Sandeep Yadav, Adv.
For Respondent/State	: Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.08.2020**

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. 40/2020 registered at Police Station- Hasaud, District- Janjgir-Champa (C.G.) for the offence punishable under Sections 294, 506(B), 458, 366, 511, 307 of IPC & Sections 25, 27 of Arms Act.
4. The prosecution story, in brief is that, complainant lodged a report alleging that on 15.02.2020, at about 8:20 PM, applicant entered the house of the complainant and took his daughter forcefully with him. Complainant immediately informed the police and they started chasing the present applicant, he fired a gunshot when he saw that police team are chasing him. Thereafter, police caught him and girl was handed over to the complainant. 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. He further submits that marriage between the applicant and the complainant's daughter has been solemnized on 11.06.2019. He further added that complainant and his daughter filed "No Objection Certificate" before the trial Court in connection with bail granted to the applicant. The applicant is in jail since 16.02.2020 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 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 marriage between the applicant and the complainant's daughter has been solemnized on 11.06.2019. He further added that complainant and his daughter filed "No Objection Certificate" before the trial Court in connection with bail granted to the applicant. The applicant is in jail since 16.02.2020 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