

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4232 of 2020

- Harish Kumar Nishad, S/o. Ram Kumar Nishad, Aged about 22 years, R/o. Village Dhava, PS Pali, district Korba CG

---- Applicant

Versus

- State Of Chhattisgarh, Through District Magistrate Korba, District Korba Chhattisgarh.,

---- Respondent

For Applicant : Shri G.R.Miri, Advocate
For Respondent /State : Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/08/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 134/2020 registered at police station Pali, district Korba (CG) for the offence punishable under Sections 307, 294, 323 and 506 IPC and 25 of the Arms Act.

As per prosecution case, report was lodged by the complainant alleging that the applicant came to the house of complainant and started abusing and quarelling with the daughter-in-law and wife of the complainant over feeding of hay to the cattle. It is alleged that the applicant assaulted with sword on the back and head of the victims which were grievous in nature.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 09.06.2020 and looking to the conduct of the prosecution it is

clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge