

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4254 of 2020**

- Parichay Shukla, S/o Rajesh Shukla, Aged about 30 years, R/o Village- Aamdi, Behind Upjail Gariyaband, PO & PS Gariyaband, District Gariyaband (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, PS- Gariyaband, District Gariyaband (C.G.)

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/08/2020**

1. 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. 122/2020 registered at Police Station- Gariyaband, District Gariyaband (C.G.) for the offence punishable under Sections 294 and 506 of the IPC, 1860 and under Section 4/5 of the C.G. Tonahi Pratadna Nivaran Act, 2005.
2. The prosecution story in brief is that, the complainant namely Sunil Verma was lodged the written report to the effect that the applicant come in the incident place and used filthy language against his wife. Further, it is alleged by the complainant that the applicant was abused his wife and tortured by mentally to the complainant and his wife on account of remove the shop.
3. 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 the present applicant was neither come in the house of the complainant nor harassed or ill-treated by him. He next submits that the applicant is in jail since

21.06.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 21.06.2020, 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.
7. 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**

Vasant