

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4633 of 2020

- Khagesh Yadav, S/o. Bhagwat Prasad, Aged about 35 years,
R/o. Mahamayapara Saida, PS Sakri, district Bilaspur CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police
Station Sakri, Civil and Revenue District Bilaspur CG

---- Respondent

For Applicant : Shri Vishambar Kaushik, Advocate
For Respondent /State : Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/08/2020

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. 69/2020 registered at police station City Sakri district Bilaspur (CG) for the offence punishable under Sections 294,323,324 and 327 IPC.

As per prosecution case, report was lodged by the complainant alleging that when the applicant demanded money from him to buy liquor, he refused to pay. It is alleged that when he refused, the applicant assaulted him with axe.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the injury was simple in nature. He submits that the applicant is in jail since 02.06.2020; charge sheet has been filed; the offence is triable by magistrate 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