

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4378 of 2020**

- Mahesh Kol, aged about 35 years, S/o Hari Kol, (Complete name is Hariram Kol) R/o Village Koda, Thana Jhagrakhand, Tahsil Manendragarh, District Koriya Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- Police Station Jhagrakhand, District Koriya Chhattisgarh.

---- Respondent

For Applicant. : Mr. Parag Kotecha, Advocate.
 For Respondent/State : Mr. H. S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.08.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 45/2020 registered at Police Station Jhagrakhand, District Koriya (C.G.) for the offence punishable under Sections 294, 506 & 307 of the IPC.
2. The allegation against the present applicant, as per the prosecution case is that he assaulted the complainant with the help of wooden club due to that complainant got injured. Based on that, after investigation, offence has been registered against the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He next submits that the applicant is brother of the complainant and

due to some personal reason a dispute arose between them which has later been compromised by both of them and the affidavit regarding the compromise is filed along with the application in which he has no objection regarding the bail of the applicant. He also added that, the applicant is in jail since 11.05.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, affidavit of compromise, as applicant is in jail since 11.05.2020 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.
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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge