

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4573 of 2020**

- Thageshwar @ Thakeshwar Netam, S/o Rameshwar Netam, Aged about 20 years, R/o Village Deharguda, PS Mainpur, District Gariyaband (C.G.)

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Devershi Thakur, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/08/2020**

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. 20/2020 registered at Police Station- Mainpur, District Gariyaband (C.G.) for the offence punishable under Section 307 of the IPC, 1860.
2. The prosecution story in brief is that, the victim Bhaskar Dalli had informed that the present applicant had attempted to murder him on account of talking to the sister of the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and the learned Court below has failed to appreciate that the prosecution has miserably failed to bring home the ingredients of the charges alleged against the present applicant. He further submits that the injuries are simple in nature but later on, it has been cut over as grievous injuries in the MLC report. He next submits that the applicant is in jail since 19.03.2020, 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 19.03.2020, 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