

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4508 of 2020

- Purushottam Sahu, S/o. Vishnath Sahu, Aged about 22 years, R/o. Sanjay Nagar, Ward No. 36, Lakholi, District Rajnandgaon CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Station Police Station Kotwali, Rajnandgaon, District Rajnandgaon CG

---- Respondent

For Applicant : Shri B.D.Guru, Advocate
For Respondent /State : Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

25/08/2020

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. 47/2020 registered at police station Kotwali, District Rajnandgaon (CG) for the offence punishable under Sections 148,302,120-B and 201 IPC.

As per prosecution case, report was lodged by the complainant alleging that on account of previous enmity, the applicant along with co-accused persons have assaulted him and his friend.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the name of the

applicant has not been mentioned in the FIR and the eyewitness have also not stated his name and only on the basis of memorandum he has been arrested. He submits that the applicant is in jail since 17.02.2020; charge sheet has been filed 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