

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4836 of 2020**

- Akash Salve @ Akku S/o Sunil Salve, aged about 30 years R/o Rajendra Nagar Near Gailex Tails Raipur, Police Station Rajendra Nagar, Raipur District Raipur (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Tikrapara, District Raipur (CG)

---- Respondent

 For Applicant : Shri Tarun Dansena, Advocate
 For Respondent/State : Shri Rahul Jha, Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey
Order On Board

21.09.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.364/2019, registered at Police Station Tikrapara, District Raipur(CG) for the offence punishable under Sections 307, 506B, 323, 34 of the IPC.
3. As per the case of prosecution, the applicant along with other co-accused persons had beaten one Vinod Dewangan with hands and fists and knife and when Nirmal Gaikwar and Indrajeet intervened, they also beaten them.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that the applicant is in jail

since 26.5.2019 and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant; charge sheet has been filed and trial may take some time for its final disposal, without further commenting on merits, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed, the applicant shall be released on bail, subject to following conditions:-
 - (i) That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any criminal offence otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - (ii) That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any

person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

(iii) That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

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