

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4773 of 2020**

- Mukesh @ Madan Sinha S/o Kishun Ram Sinha, aged about 23 years, Caste- Kalar, R/o Sorid Nagar, Dhamtari, District Dhamtari (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through- Police Station City Kotwali, Dhamtari, District Dhamtari C.G.

---- Respondent

For Applicant. : Mr. Abhishek Sharma, Advocate.
For Respondent/State : Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.09.2020**

1. The applicant has filed this **Second bail application** filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 151/2019 registered at Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Sections 294, 323, 506, 307 of the IPC.
2. The first bail application of the applicant was dismissed as withdrawn on 31.07.2019 passed in MCRC No. 4250/2019 and a liberty was given to the applicant to revive the same if required.
3. The allegation against the applicant is that he assaulted the complainant and one Satya Prakash Sinha with the help of knife. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that as per the FSL report no blood stain was found in the said knife. As the applicant is in jail since 03.04.2019 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.
5. On the other hand, State counsel strongly opposes the bail application submitting that looking to the nature and gravity of the offence, applicant may not be granted bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the submission of the counsel, nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 03.04.2019 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.
8. 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**