

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4892 of 2020**

- Rishi Kumar Sahu, aged about 25 years, S/o Goverdhan Sahu, R/o. Shiv Chowk, Daganiya, Police Station D.D. Nagar, District Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through- the Station House Officer, Police Station- D.D. Nagar, District Raipur (C.G.)

---- Respondent

For Applicant.	:	Mr. Shobhit Mishra, Adv.
For Respondent/State	:	Mr. Adil Minhaj, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.09.2020**

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. 284/2019 registered at Police Station D.D. Nagar, District Raipur (C.G.) for the offence punishable under Sections 294, 323, 324, 325, 326, 506(B), 307 of the IPC.
2. As per the prosecution case, the allegation against the present applicant is that he has assaulted one Vivek Sahu with the help of pointed weapon due to which he sustained injury. Based on that, after investigation, offence has been registered against

the applicant and he has been arrested.

3. The submission made by learned counsel for the applicant is that the applicant has been falsely implicated in the crime in question. He further submits that the present applicant has objected complainant and his friends' while they were gambling in the house platform of the applicant due to that they created concocted story and implicated the applicant in it. He next contended that as the applicant is in jail since 30.01.2020 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. Per contra, State counsel strongly opposes the bail application and submits that the complainant and his friends were celebrating birthday party and enjoying food, at that time applicant reached there and asked for some food but because it was finished, applicant started hurling abuses to them and assaulted one Vivek Sahu with the help of pointed weapon which was found grievous in nature, therefore, looking to the nature of injuries and offence, the present applicant may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the submission of both

the counsel, nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 30.01.2020 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**