

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4845 of 2020**

- Amit Yadav son of Daulat Ram Yadav, aged about 20 years, R/o village Amleshwar, Police Station Amleshwar, District Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The District Magistrate, Durg, District Durg (C.G.)

---- Respondent

For Applicant	:	Shri Love Kumar Ramteke, Advocate
For Respondent	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/09/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.45/2020, registered at Police Station – Amleshwar, District Durg (C.G.) for the offence punishable under Sections 294, 323, 452, 506-B, 326/34 of Indian Penal Code.
2. The prosecution story, in brief, is that on 21.05.2020 at about 9.30 PM, Arjun Soni, son of complainant, came home after walking and informed him that the applicant and other co-accused persons committed maarpeet with him hurling abuses. When complainant came out of his house, the applicant and other co-accused persons also assaulted him with belt hurling abuses in the name of mother and sister as a result of which he sustained injuries on his head and fell down. Based on this, offence has been registered. The present applicant has been taken into custody on 06.07.2020.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the present applicant has neither committed any offence nor participated in any such act. He also submits that the other accused persons have already been granted bail by the trial Court. The applicant is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Hon'ble Court. It is next submitted that the applicant is in custody since 06.07.2020 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of injury sustained by the complainant and further considering the fact that other accused persons have already been granted bail by the trial Court, the present applicant is in custody since 06.07.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the disposal of trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge