

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4863 of 2020**

- Abhaypratap Singh S/o Satyendra Singh, aged about 24 years, R/o village Shikshak Colony, Gariyaband, Post Office & Police Station Gariyaband, District Gariyaband (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Gariyaband, District Gariyaband (C.G.)

---- Respondent

For Applicant	:	Shri Shivendu Pandya, Advocate
For Respondent	:	Ms. Sunita Jain, 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.141/2020, registered at Police Station - Gariyaband, District Gariyaband (C.G.) for the offence punishable under Section 327 IPC & sections 25 and 27 of Arms Act.
2. Allegation against the present applicant is that on 10.07.2019 at about 10.00 AM, the applicant came to the house of complainant holding knife in his hand and demanded money for liquor and also threatened her that he would cause knife injury if the money is not given to him. Based on this, offence has been registered. The present applicant has been taken into custody on 10.07.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that in the MLC report, no knife injury was noticed by the doctor. He also submits that the applicant is

ready to furnish adequate security 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 10.07.2020 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, in particular the nature of offense, and further considering the fact that the present applicant is in custody since 10.07.2020, 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 final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge