

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4941 of 2020**

- Avinash Yadav S/o Ram Lal Yadav aged about 25 years, R/o Village Bhojpur, Police Station Champa, District-Janjgir-Champa, Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh, Through – District Magistrate, Janjgir, Police Station Champa, District-Janjgir-Champa, Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. N. K. Chatterjee, Adv. |
| For Respondent/State | : Mr. Rahul Jha, G.A.        |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****15/09/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 192/2020 registered at Police Station Champa, District-Janjgir-Champa (C.G.) for the offence punishable under Sections 458, 294, 506, 323, 34 of the IPC.
2. The prosecution story in brief, is that complainant Rohit Yadav lodged a report that on account of old dispute on 11.07.2020, the applicant as well as other co-accused persons had entered his house, threatened to life and also assaulted with the help of rod and fist. Based on this offence has been registered against the present applicant and other co-accused persons.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 12.07.2020, there is no likelihood of his case being decided in

near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the offence committed by the applicant is serious in nature; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 12.07.2020, 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 trial Court on each and every date given to him by the said Court.

**Sd/-  
(Rajani Dubey)  
Judge**