

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4983 of 2020**

- Vimal Prakash son of late Ravi Prakash, aged about 30 years, resident of near Gas Memorial Ground, near Kali Mandir, P.S. Civil Line Raipur, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Civil Line Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Shri C.R. Sahu, Adv.
For Respondent	:	Shri Rahul Jha, G.A.

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

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.659/2019, registered at Police Station – Civil Line Raipur, Civil and Revenue District Raipur (C.G.) for the offence punishable under Sections 294, 323, 327, 325 and 506 IPC.
2. The prosecution story, in brief, is that on 18.11.2019 at about 9.45 pm, the applicant demanded money for consuming liquor from the complainant and his friends, refusal to which led to quarrel. The applicant, uttering filthy language, assaulted the complainant by rod as a result of which complainant sustained injuries on his body. Based on this, offence has been registered. The present applicant has been taken into custody on 19.11.2019.
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 injuries sustained by injured are

simple in nature. He also submits that the allegations levelled against the applicants prima-facie do not constitute any offence much less the offence as alleged. It is next submitted that the applicant is in custody since 19.11.2019, charge sheet has been filed 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 injured and further considering the fact that the applicant is in custody since 19.11.2019, charge sheet has been filed 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.50,000/- 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