

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5171 of 2020

- Bajrang Patel, S/o. Gaitram Patel, Aged about 52 years, R/o. Village Banstaal, Chaitma, Thana Pali, District Korba CG

---- Applicant

Versus

- State Of Chhattisgarh, Through The District Magistrate Korba, CG Through Police Station Pali, District Korba CG

---- Respondent

For Applicant : Shri Vikas Pandey, Advocate
For Respondent /State : Shri Vikram Sharma, Dy. GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/09/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 37/2020 registered at police station Pali, District Korba (CG) for the offence punishable under Sections 294,323,506-B, 302 and 325 IPC.

As per prosecution case, report was lodged by the complainant alleging that he was assaulted by the applicant who is his brother on account of some land dispute. It is alleged that on the date on incident, ie. 24.02.2020, when the complainant was in his field, the applicant came from behind and after abusing him, assaulted with club on his right leg. He was shifted to the Primary Health Centre from where he was shifted to Mundada Hospital, Bilaspur and after six days i.e. on 02.03.2020, he was discharged,

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that only one injury has been caused by the applicant which was simple in nature. Lastly, he submits that the applicant is in jail since 12.03.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge