

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5317 of 2020**

- Aamir Khan S/o Mohammed Naeem Khan aged about 28 years, R/o Village-Barpalichowk Mission Road Champa, Station Champa, District-Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - SHO, P. S. Champa, District-Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anshul Tiwari, Adv.
For Respondent/State	:	Mr. H. S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/09/2020**

1. The matter is heard through video conferencing.
2. 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. 164/2020 registered at Police Station Champa, District-Janjgir-Champa (C.G.) for the offence punishable under Sections 147, 294, 323, 427, 458 and 506 of the IPC.
3. The prosecution story in brief, is that a report was lodged by the complainant alleging that on the date of incident, in the mid night i.e. at about 1:30 am., the applicant and co-accused came to his house and damaged his scooty and Scorpio Car. It is alleged that when he tried to intervene, they assaulted him and caused injury. Based on this offence has been registered against the present applicant and co-accused.
4. 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 other co-accused person has already been granted bail in MCRC No. 4405/2020, therefore, the present applicant may also be

granted benefit of bail. He also submits that the applicant is in jail since 15.06.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and submits that the applicant did a very serious offence; therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 other co-accused has already been granted bail and the applicant is in jail since 15.06.2020, 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.
8. 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**