

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5923 of 2020

- Pappu @ Nilesh Baiga S/o Jailal Baiga Aged About 30 Years R/o Village Ghatai, Police Station Janakpur, District Koriya Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Janakpur, District Koriya Chhattisgarh. **---- Respondent**

For Applicant	: Shri Anil Gulati, Advocate
For Respondent/State	: Shri Vimlesh Bajpai, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

26/11/2020

- 1) This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in connection with Crime No.99/2020 registered at Police Station- Janakpur, District- Koriya (C.G.) for the offence under Section 307 of Indian Penal Code.
- 2) Prosecution case is that the applicant Pappu Baiga assaulted the victim Mithun Singh when the victim was going to village Ghatai, by club and the victim sustained injuries on head.
- 3) Learned counsel for the applicant submits that the allegations against the applicant is false and fabricated, he is falsely implicated in the case, It is further submitted the injuries of the victim is simple in nature and the present applicant is in jail since 23.07.2020 and trial of the case will take sufficient time, therefore, at this stage, he may be granted bail.
- 4) On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that injuries of the victim is serious in nature, therefore, he may not be granted bail.

- 5) Having considered the submission made by learned counsel for the parties, taking into consideration the nature of allegation, injuries received by the victim and detention period of the applicant and the fact that conclusion of trial may take some time, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two equivalent sureties for the like amount to the satisfaction of the concerned Trial Court, he shall be released on bail. He is directed to appear before the Trial Court on each and every date given to him by the said Court, till disposal of the trial.
- 6) It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge

Nadim