

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6013 of 2020

1. Indrapal S/o Gorelal Aged About 42 Years R/o Village Salba Police Station Baikunthpur, District Koriya (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Of Police Station Baikunthpur, District Koriya (C.G.).

---- Respondent

For Applicant	:	Shri H.A.P.S. Bhatia, Advocate appears on behalf of Shri Anil Gulati, Advocate.
For Respondent/State	:	Miss Veena Nair, Dy. Advocate General.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

04/12/2020

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 15/07/2020 in connection with Crime No. 174/2020 registered at Police Station Baikunthpur, District Koriya (C.G.) for the offence under Sections 294, 506, 323, 326 of IPC.
- 2) Allegation against the applicant is that he cut the ear of the complainant with battle axe. On report being lodged to the above effect, offence under the aforesaid sections has been registered against the applicant.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the applicant is in jail since 15/07/2020 and conclusion of the trial is likely to take some time. Therefore, the applicant be released on bail.
- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.

- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the fact that the charge sheet has already been filed, the applicant is in jail since 15/07/2020 and the trial is likely to take some time for disposal, without commenting anything on merits of the case, the application is **allowed**. It is directed that in the event of applicant executing a personal bond for a sum of **Rs. 1,00,000/-** with two sureties of Rs. 50,000/- each 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

Chandrakant