

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6157 of 2020

1. Stephen George @ Jeevan S/o Late Shri George V George, Aged About 39 Years, R/o- Vivekanand Nagar, Near Shekhar Kirana Store, P.S.- Torwa, District- Bilaspur (C.G.)

---- Applicant

Versus

1. State Of Chhattisgarh, Through Officer In Charge, P.S.- Torwa, District- Bilaspur (C.G.).

---- Respondent

For Applicant	: Shri Achyut Tiwari, Advocate.
For Respondent/State	: Shri Dinesh R.K. Tiwari, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

02/12/2020

- 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 31/07/2020 in connection with offence under Sections 294, 323, 307, 34 of IPC at Police Station Torwa, District- Bilaspur (C.G.) under Crime No. 247/2020.
- 2) Allegation against the applicant is that he put his knife in front of Pradeep's eye, stabbed Sabu Ahuja twice and intimidated complainant Ritesh. On report being lodged to the above offence 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. In fact it is the complainant party who assaulted the applicant and thereafter falsely lodged report against him. He submits that the applicant is in jail since 31/07/2020, charge sheet has already been filed 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 injured Sabu Ahuja was discharged from Hospital within 4 days, the applicant is in jail since 31/07/2020 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