

HIGH COURT of CHHATTISGARH, BILASPUR**MCRC No. 6863 of 2020**

- Abdul Gyasu @ Baba Qureshi S/o Abdul Gani Qureshi, aged about 28 years, R/o Indira Nagar, Naharpara, Supela, Thana – Supela, District Durg (CG)

---- Applicant (In Jail)**Versus**

- State of Chhattisgarh Through District Magistrate, Durg/SHO PS Supela, District Durg Chhattisgarh

---- Respondent

For Applicant	: Shri TK Jha, Advocate
For Respondent/State	: Shri Sidharth Dubey, Dy GA

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board**08.12.2020**

1. Applicant has preferred this application under Section 439 CrPC for grant of regular bail as he has been arrested in connection with Crime No.181 of 2020 registered at Police Station Supela, District Durg for the offences punishable under Sections 307 of the IPC, 25 and 27 of the Arms Act.
2. Case of the prosecution in brief is that on 09.03.2020 at about 9.30 pm when the complainant Sunil Chouhan Dinesh and Akash tried to intervene the quarrel between the applicant and one Bhola. At that relevant time, applicant has assaulted with knife upon Dinesh, Sunil and Akash. In the said assault, Dinesh and Sunil suffered wound over their hand and Akash suffered wound over abdomen.
3. Shri TK Jha, learned counsel for the applicant submits that applicant has not committed any offence as alleged against him. The complainant along with his friends in an intoxication condition, have started dispute and quarrel with applicants. In an attempt of self-defence, complainant and other persons suffered injuries. He further contended that the injuries suffered by Dinesh, Akash and Sunil are simple in nature. The applicant is in jail since 10.03.2020 and charge-sheet has already been filed after completion of the investigation.

Looking to the Covid-19 pandemic situation, completion of trial will take some time.

4. Shri Sidharth Dubey, learned Dy Government Advocate for the State opposing the submission made by Shri Jha, submits that as per the allegations levelled against the applicant, he assaulted all the three persons which shows the intention of the applicant to cause injuries and the nature of offence as alleged against him. He opposes the bail application on the aforementioned grounds.

5. I have heard learned counsel for the parties and also perused the case-diary.

6. As per the MLC report, there is no specific mention about the nature of abdominal injury by the doctor. Applicant is in jail since 10.03.2020 and charge-sheet has already been filed.

7. Considering the above, without commenting anything upon merits of the case, I am inclined to enlarge the applicant on bail.

8. Accordingly, the bail application is allowed. It is directed that the applicant be released on regular bail upon furnishing a bail bond in the sum of Rs.10,000/- (Rupees ten thousand) with one surety in the like sum to the satisfaction of the Court below concerned, he be released on bail for appearance before the Court below as and when directed on all the dates of hearing.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE