

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.7408 of 2020**

- Akhilesh Yadav @ Lalla Yadav S/o Ram Lal Yadav Aged About 20 Years
R/o Bhojpur Champa, Police Station Champa, District Janjgir Champa
Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through The District Magistrate, Janjgir District
Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant : Shri N. K. Chatterjee, Advocate
For Respondent/State: Shri Lalit Jangde, GA

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****08/12/2020**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.192/2020 registered at Police Station Champa, District Janjgir-Champa for the offence punishable under Section 452, 294, 506, 323/34 of the IPC. The applicant was arrested on 29-07-2020.
2. Case of the prosecution is that the applicant and co-accused entered the house of one Rohit Yadav and assaulted him by using iron rod.
3. Learned counsel for the applicant would submit that allegation of commission of offence under Section 452 of the IPC is not made out and to that extent, case of the prosecution is exaggerated. He submits that the injury sustained by the victim is said to be simple in nature. He lastly submits that in this case, the applicant is in jail since 29-07-2020, investigation is complete, charge sheet has been filed and therefore, the applicant may be granted bail.
4. On the other hand, learned State counsel opposes the bail application by submitting that in view of the statement of the victim and the injuries sustained by the victim, prima facie case is made out against the applicant.
5. Taking into consideration the submission made by learned counsel for the parties, particularly the background, in which, the incident alleged to be

happened and also considering the fact that the applicant is in jail since 29-07-2020, investigation is complete, charge sheet has been filed as also pre-trial detention of the applicant, I am inclined to enlarge the applicant on bail.

6. Accordingly, the bail application(M.Cr.C.No.7408 of 2020) is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one local surety for the like amount to the satisfaction of the Trial Court on the condition that he shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge