

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7086 of 2019**

- Pankaj Singh Thakur, S/o Late Ashok Singh Thakur, Aged About 27 Years, R/o Sakunant New Karamchari Colony, Kushalpur Raipur, Tahsil and District Raipur (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: The Police Station Azad Chauk, Raipur, District - Raipur, (Chhattisgarh).

---- Respondent

For Applicant	: Shri Rajat Agrawal and Shri Aayush Bhatia, Advocates.
For Respondent/State	: Shri Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.01.2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 261/2019 registered at Police Station Azad Chauk, Raipur District - Raipur (Chhattisgarh) for the offence punishable under Sections 294, 327, 506, 324 of I.P.C. and under Sections 25, 27 of the Arms Act.
2. The prosecution story, in brief is that, the complainant is the employee of the present applicant's brother and was entrusted with task of collecting parking fees but on the date of incident it is alleged that the complainant was attacked with a sharpened iron article by the present applicant as the complainant had only produced Rs. 350/- as the entire collection from the day's collection from the parking site. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question.

He further submits that charge-sheet has already been filed. The offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 31.08.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 31.08.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**