

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7074 of 2019**

- Naresh Ghosh, S/o Shivchand Ghosh, Aged About 25 Years, R/o P.V. 82, Police Station Bande District North Bastar Kanker Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh; Through: The Police Station Pakhanjor, District North Bastar Kanker Chhattisgarh.

---- Respondent

For Applicant	: Shri Pravin Kumar Tulsyan, Adv.
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. 114/2014 registered at Police Station Pakhanjor, District North Bastar Kanker for the offence punishable under Sections 307, 120(B), 201/34 of I.P.C. and under Sections 25, 27 of the Arms Act.
2. The prosecution story, in brief is that, the complainant has lodged the F.I.R. against the unknown persons and alleged that someone has fired the gunshot to the victim on such complaint police has lodged the F.I.R. against the unknown person and during the investigation, co-accused has been arrested and on the basis of his memorandum, the present applicant has been arrested. 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 applicant is in jail since 27.06.2019, 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 he is not main accused. The applicant is in jail since 27.06.2019 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. 50,000/-, 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**