

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7172 of 2019**

- Devendra Kumar Dewangan @ Chhotu Dewangan, son of Parmeshwar Dewangan (wrongly written as Chhotu Dewangan), aged about 25 years, R/o Ward No.07, Mangal Bazar Bilaigarh, District Balodabazar-Bhatapara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Bilaigarh, District Balodabazar-Bhatapara (C.G.)

---- Respondent

For Applicant	:	Shri G.V. Miri, Advocate
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.190/2019, registered at Police Station - Bilaigarh, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 294, 506 and 307 IPC.
2. The allegation against the present applicant is that when the complainant was going towards Sakin, Bilaigarh playing DJ Sound in procession, the applicant and his companion hurled abuses and assaulted him with iron rod as a result of which he sustained grievous injury on his vital part head.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the injury sustained by the complainant was simple in nature and he remained in hospital only for two days. He also submits that the applicant is in custody since

19.08.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. He submits that the applicant assaulted the complainant with iron rod on his vital part head.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the complainant/injured remained in hospital for two days, the applicant is in custody since 19.08.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge