

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7209 of 2019**

- Akash @ Akku Yadav S/o. Bhagwat Yadav Aged About 32 Years, R/o Adwani Colony Urkura, Birgaon, Police Station Khamtarai Raipur, District-Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Urla, District-Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Rekhraj Baghel, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07/01/2020**

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. 418/2019 registered at Police Station-Urla, District-Raipur (C.G.) for the offence punishable under Sections 327, 323, 394, 294, 506, 34 of the IPC.
2. The prosecution story, is that the complainant lodged a report that on 13-14.09.2019 at about 2 to 3 pm. the applicant and his companion reached in his shop and purchased Cigarette, water packet, disposal glass, total Rs. 230/-, and when he demanded money from the applicant, then the applicant committed *marpeet* with the hand fist, *danda*, rod and belt and threatened to kill. Based on this, 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 the applicant is in jail since 19.09.2019, 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, detention period of applicant and further considering the facts that the applicant is in jail since 19.09.2019 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**