

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7557 of 2019

- Kapil Patnayak S/o Late Subhash Patnayak Aged About 18 Years
R/o Sai Ram Colony, Ward No. 2, Gharghoda, Police Station -
Gharghoda, District - Raigarh Chhattisgarh., District : Raigarh,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate And Station
House Officer, Police Station - Gharghoda, District - Raigarh
Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

For Applicant : Shri Hari Agrawal, Advocate
For Respondent/State : Ms. Reena Singh, P.L.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

16.01.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.192/2019, registered at Police Station Thana Gharghoda, District Raigarh(CG) for the offence punishable under Sections 294, 506 323, 324, 307 of the IPC.
3. As per the case of prosecution, on 15.10.2019, at about 12.15 in the night, when the complainant Arif Khan was returning to home along with his friends Janeshwar Kurre and Pradeep Ratre after attending a birthday party of their friend's son, near Behra Garage the applicant abused and assaulted them with knife and hands and fists as a result of which they received injuries.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and there was dispute between the complainant and the applicant. He submits that the injuries received by the complainant and his friends are simple in nature. He further submits that the applicant is in jail since 19.10.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the and detention period of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE