

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7412 of 2019**

- Ankit Shrivastava S/o Vinod Shrivastava Aged About 27 Years R/o Amraiypara, Ward No. 12 Korba, Tahsil And District- Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Chouki Rampur, Police Station- Kotwali, District- Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Dr. N.K. Shukla, Sr. Adv with Mr. Vikas Pandey, Advocate.
For State	:	Mr. Sameer Sharma, Dy.G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/01/2020**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 614/2019 registered at Police Station – Kotwali, District Korba (C.G.) for the offence punishable under Sections 294, 186, 506, 332 of IPC 1860.
- As per the prosecution story, in brief, on 16.07.2019 complainant, Home Guard Chhatram Yadav lodged a complaint to the concern Police Station alleging that present applicant has hurled abuses, assaulted and threatened him for dire consequences near the Niharika Liquor Shop and the applicant has also committed '*marpeet*' with the on duty police. On the basis of above facts, after completion of investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submitted that as the applicant is in jail since 05.10.2019 and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicant may be released on bail.

- Per contra, State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that he is in jail since 05.10.2019 and as the offence is triable by Judicial Magistrate First Class 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.
- 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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge