

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7863 of 2019**

- Pratap Singh Gond S/o Bheem Singh Aged About 36 Years, R/o Mukhtiyarpara, Nagpur, P.S.- Station Podhi, Tahsil Baikunthpur, District- Koriya, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, P.S.- Podhi, District- Koriya, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ramsajivan, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/01/2020**

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. 167/2019 registered at Police Station-Podhi, District - Koriya (C.G.) for the offence punishable under Section 307 of the IPC.
2. The prosecution story, is that complainant Surendra Singh lodged a report that on 28.10.2019 when he was going towards Nagpur by scooty at 11:00 pm. at that time applicant was standing near his house and was talking to complainant that what was you talking to my wife. The applicant was assaulting to the complainant with Lathi with intention to cause his death, on the result of that, the complainant sustained grievous injuries on his head. 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 caused injury is simple in nature and the applicant is in jail since 28.10.2019, 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 injury is simple in nature and the applicant is in jail since 28.10.2019 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. 25,000/- 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**