

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7658 of 2019**

- Prashant Kumar Tiwari @ Chintu S/o Durgashankar Tiwari Aged About 27 Years Resident Of Village And Post Paunsara, Police Station Koni, Tehsil And District Bilaspur Chhattisgarh...(In Jail)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Koni, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. U.K.S. Chandel, Advocate.
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.01.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 258/2019 registered at Police Station : Koni, District Bilaspur (C.G.) for the offence punishable under Sections 324, 458, 326 of IPC.
2. As per the prosecution case, on 07.09.2019 at about 11.30 PM, applicant entered the house of complainant Vinod Vishwakarma and assaulted the father of the complainant by deadly weapon. Based on this, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He

further submits that complainant himself created nuisance after drinking liquor. As applicant is in jail since 10.09.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, nature and gravity of the offence, the detention period of the applicant particularly the fact that the offence is triable by Judicial Magistrate First Class, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu