

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7796 of 2019**

- Raju Yadav S/o Tulsi Yadav Aged About 30 Years, R/o Village Ward No. 1 Gandai, Pandariya, P.S. Gandai Tehsil- Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Gandai, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Pandey, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/01/2020**

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. 249/2019 registered at Police Station-Gandai, District - Rajnandgaon (C.G.) for the offence punishable under Sections 452, 294, 323, 427, 506, 34 of the IPC.
2. The prosecution story, is that the complainant lodged a report that on 10.11.2019 at about 7:30 pm. the present applicant along with other co-accused entered into house of complainant and abused him and also assaulted by means of hands and fists. 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 11.11.2019, 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 offence is triable by Judicial Magistrate First Class. The applicant is in jail since 11.11.2019 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**