

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7915 of 2019**

Gaurav Hepat S/o Balwant Rao Aged About 25 Years R/o Infront Of Sapre Ground, Budhapara, Raipur, District - Raipur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through, Station House Officer, Police Station - New Rajendra Nagar, Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Soumitra Kesharwani, Advocate
For Respondent/State	: Mr. Sudeep Verma, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****26/05/2020**

1. This is the third bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.143/2019, registered at Police Station – New Rajendra Nagar, District – Raipur (C.G.) for the offence punishable under Section 307, 34 of the Indian Penal Code and Section 25 and 27 of the Arms Act. The first bail application was dismissed as withdrawn on 14.06.2019 in M.Cr.C. No.3639 of 2019. Thereafter, the second bail application was dismissed as withdrawn on 06.08.2019 in M.Cr.C. No.4100 of 2019.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. There is no material present to show the commission of offence under Section 307 of the Indian Penal Code. The applicant is in jail since one year and the trial is standstill because of lock down and other measures imposed by the State Government in Covid-19 situation. Hence, it is prayed that the

applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is clear evidence against the applicant regarding the commission of offence, therefore, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, this applicant assaulted the victim with knife causing injuries on his abdomen and other parts of the body, on the basis of which FIR has been lodged and present case is pending for trial.
6. Considering that the trial against the applicant is not making any progress and also considering the facts and circumstances of the case and the fact that the applicant has no criminal antecedents, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge