

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8012 of 2019**

- Tijau Vishwakarma S/o Shri Sukhram Vishwakarma Aged About 50 Years R/o Dashrangpur Chowki, Police Station Pipariya, Tehsil Kawardha, District - Kabirdham, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Chowki Dashrangpur, Police Station Pipariya, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sanjay Kumar, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/01/2020**

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. 203/2019 registered at Police Chowki Dashrangpur, Police Station-Pipariya, District - Kabirdham (C.G.) for the offence punishable under Sections 450, 307 of the IPC and 04 and 05 of Tonhi Pratarna Adhiniyam.
2. The prosecution story, in brief, is that on 17.09.2019 at about 9:00 pm., when complainant Rambihari Nishad was sleeping in his house, the applicant came there and raised allegation that he has done sorcery with his son to which the complainant denied of having committed sorcery. Thereafter, the applicant gave knife blow to the complainant on his stomach, chest and both hands as a result of which, complainant sustained grievous injuries. 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 sustained injury is simple in nature and the applicant is in jail since 18.09.2019, 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 applicant is in jail since 18.09.2019 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**