

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8133 of 2019**

Karan Sahu, son of Dulichand Sahu, aged about 23 years, resident of near Gokul Nagar, Police Station Gudiyari, Tahsil and District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through : Station House Officer, P.S. Gudiyari, District Raipur (C.G.)

----Non-applicant

For Applicant	:	Ms. Sunita Sahu, Advocate.
For Non-applicant	:	Mr. Akshra Amit , Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board**

03/02/2020

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 425/2019 registered at police Station Gudiyari, District Raipur (C.G.) for the offence punishable under Sections 294, 323, 324, 326, 452 & 506 of the Indian Penal Code.

(2) Case of the prosecution, in nutshell, is that complainant had lodged a written report to the concerned police station alleging that on 28.11.2019 at about 2.30 p.m. applicant has entered into the house of the complainant forcefully and he has abused him in a filthy language and has also assaulted to the uncle of the complainant by knife and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the accused/applicant has been falsely implicated in the crime in question as there is no evidence on record to connect the

applicant with the crime in question. She submits that the applicant is in detention since 29.10.2019; alleged offences are triable by Magistrate, charge sheet has been filed; no useful purpose would be served by keeping him further in jail; and he is ready and willing to co-operate with the trial; and no custodial interrogation is required and, therefore, the 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 appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the nature and gravity of the offence, in particular the fact that applicant is languishing in jail since 29.11.2019; charge sheet has been filed; the trial is likely to take some time for its final disposal; and no custodial interrogation is required; 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 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

