

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8145 of 2019**

Amit Devdas @ Legan, son of Rainu Devdas, aged about 24 years, resident of
Ganjpara Durg, Police Station Durg, District Durg, Chhattisgarh (In jail)

---- Applicant

Versus

State of Chhattisgarh, through : District Magistrate, District Durg, Chhattisgarh

----Non-applicant

For Applicant	:	Mr. A.C. Sahu, Advocate.
For Non-applicant	:	Mr. Vaibhav Kartike Agrawal, 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 Number No. 626/2019 registered at police Station Durg (Kotwali), District Durg, Chhattisgarh for the offence punishable under Sections 294, 506, 323, 327 read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution, in nutshell, is that on 09.07.2019 at about 09:50 pm present applicant along with other co-accused demanded money for purchasing liquor from the complainant and when he denied to do so, they abused him and assaulted him also with hand & fist and thereby committed the aforesaid offence.

(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. He submits that the applicant is in detention since

30.08.2019; charge sheet has already been filed and no useful purpose would be served by keeping him further in jail and trial is likely to take some time for its final disposal 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 facts that applicant is languishing in jail since 30.08.2019; charge sheet has already been filed 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 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

