

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8301 of 2019**

- Mohammad Afroz S/o Mohammad Harun Aged About 19 Years R/o Farid Nagar, Ekta Dwar, Police Station Supela, Tahsil And District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Collector / Magistrate Durg District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Jitendra Gupta, Advocate.
For State	:	Mr. Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.02.2020**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 817/2019 registered at Police Station – Supela, District Durg (C.G.) for the offence punishable under Sections 294, 506, 323, 324, 307, 34 of IPC.
- The allegation against the present applicant is that, due to some previous animosity, the present applicant along with co-accused threatened the brother of complainant and stabbed a sharp edged weapon in his stomach, due to which he sustained grievous injuries. Based on that, after completion of investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the FIR has been lodged just after the

incident but the name of the present applicant was not mentioned in the FIR, his name was included at the time of filing of final report. Applicant is in jail since 11.11.2019 and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicant may be released on bail.

- Per contra, State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as 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.
- 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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge