

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 65 of 2020**

- Mohd. Aadil @ Ajju S/o Mohd. Jamil Aged About 26 Years R/o B. S. U. P. Colony, Irani Dera, 14 / 19, Daldal Seoni, Police Station Pandri, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pandri, District - Raipur Chhattisgarh.

---- Respondent

For Applicant.	:	Ms. Sunita Sahu, Advocate.
For Respondent/State	:	Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.02.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 339/2019 registered at Police Station : Pandri, District Raipur (C.G.) for the offence punishable under Sections 294, 323, 506, 452/34 of IPC.
2. The allegation against the present applicant, as per the written report lodged by the complainant, is that the present applicant with co-accused persons have entered in his house, hurled abuses, beat him with the help of hand and fist and threatened him to vacant the house. On the basis of said complaint, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He further submits that due to the previous enmity, complainant made false allegation against him. Applicant is in jail since 25.08.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application and submits that the complainant is a handicapped person. The applicant brutally assaulted and threatened him to vacate the house within 24 hours else he would be killed. Further, there are two previous criminal antecedents against the present applicant, and if the applicant is granted bail, there is every likelihood of complainant being threatened and the prosecution witnesses being influenced, therefore, he may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature and gravity of the case, detention period of the applicant, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**