

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8392 of 2019**

- Kumbhlal Sahu S/o Late Shri Motilal Sahu, aged about 28 years, R/o village Bicharpur, Nawagaon, Police Station/Tahsil Chhuirya, District Rajnandgaon (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through District Magistrate, Rajnandgaon, Police Station Lalbagh, (outpost Thumdibod) District Rajnandgaon (C.G.)

---- Respondent

For Applicant	:	Shri Abhishek Sharma, Advocate
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****07/02/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.385/2019, registered at Police Station - Lalbagh (outpost Tumdibod), District Rajnandgaon (C.G.) for the offence punishable under Sections 307 IPC.
2. The prosecution story, in brief, is that on 01.08.2019, a report was lodged by the complainant Khageshwar Patel in police station Lalbagh, District Rajnandgaon alleging therein that on the very day when he was selling tomato at village Vicharpur, some dispute with regard to bargaining took place between the applicant and complainant. The father of complainant tried to pacify the dispute but the present applicant gave knife blow to him on his abdomen. Based on this, offence has been registered. The present applicant has been taken into custody on 01.08.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the injuries sustained by the injured are simple in nature. The injured remained in hospital only for three days. It is next submitted that the applicant is in custody since 01.08.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence, nature of injury sustained by the injured and further considering the fact that the applicant is in custody since 01.08.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge