

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8397 of 2019**

- Alauddin S/o Mohabbat Ali Aged About 53 Years R/o Village Narayanpur, Police Station Ramanujnagar, District Surajpur, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Ramanujnagar, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent	:	Shri Akhtar Hussain, 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.194/2019, registered at Police Station - Ramanujnagar, District Surajpur (C.G.) for the offence punishable under Sections 294, 506-B, 323, 326 r/w 34 IPC.
2. The prosecution story, in brief, is that on 04.11.2019, when complainant Ruksana was going to her house along with her 09 month child after discharging duty in Janpad Officer, the present applicant along with his son Sagir Ahmad followed her using filthy language. The present applicant provoked his son Sagir Ahmad and then he cut off the nose of his wife Ruksana (the complainant). Based on this, offence has been registered. The present applicant has been taken into custody on 05.11.2019.
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 main allegation is against Sagir Ahmad and the present applicant only provoked Sagir Ahmad. He also submits that the applicant is in custody since 05.11.2019 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 and further considering the fact that the applicant is in custody since 05.11.2019 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