

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8426 of 2019**

- Dilip Banjare S/o Late Krishna Bajare Aged About 30 Years R/o Jarhabhatha, P.S. Civil Line Tah. And District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Civil Line District Bilaspur Chhattisgarh Revenue District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Raj Kumar Gupta, Advocate.
For State	:	Mr. B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.02.2020**

- 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. 541/2019 registered at Police Station - Civil Line, Civil & Revenue District Bilaspur (C.G.) for the offence punishable under Sections 294, 506-B, 323, 307 of IPC.
- The prosecution story in nutshell is that, on 19.08.2019 at about 6.00 PM, the applicant along with other co-accused persons assaulted the victims Ishu, Akash & Banty with the help of pipe, knife and wooden plank due to which they sustained 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 applicant has been arrested only on

the basis of suspicion. He also submits that the injuries are of simple nature. Applicant is in jail since 23.08.2019 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 and submits that there are 13 previous antecedents registered against the applicant of the various nature which shows that the applicant is a habitual offender, therefore, he may not be granted bail.
- 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. 50,000/- 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