

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 751 of 2021**

- Vikash @ Gajni Sahu S/o Shri Yashwant Sahu Aged About 25 Years R/o Village- Tekari, Vidhansabha, Raipur, Tehsil And District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- Police Station- Dharsiva, District- Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**---- Non-Applicant**

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| For Applicant           | : | Shri Pushkar Sinha, Advocate |
| For Non-Applicant/State | : | Shri B.L. Sahu, P.L.         |

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**Hon'ble Justice Shri Gautam Chourdiya**

**Order on Board**

**08.03.2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 31.12.2020 in connection with Crime No.406/2020, registered at Police Station- Dharsiva, District-Raipur (C.G.) for the offence punishable under Sections 307, 34 of the IPC and Sections 25 and 27 of the Arms Act.
2. Case of the prosecution is that when the complainant Kamlesh Kumar Verma lodged a report that when he was standing in front of his house, some quarrel had taken place between the accused/applicant and Kuldeep Dhiwar and Navin Verma then the applicant along with other accused persons, assaulted Kuldeep Dhiwar and Naveen Verma with hands, fists and knife, causing injuries over ribs of Kuldeep Dhiwar and both hands of Navin Verma. Based on this, an offence has been registered against the applicant and he was arrested.
3. Learned counsel for the applicant submits that the allegations against the applicant are false and fabricated and he has been falsely implicated

in the case. He submits that the co-accused persons have been released on bail by the co-ordinate Bench of this Court in MCRC No.7365/2020 and connected matter vide order dated 9.12.2020 and the applicant is in jail since 31.12.2020. He further submits that no bonny injury was sustained by Kuldeep Dhiwar and Naveen Verma and the injuries were not grievous in nature; charge sheet has been filed and conclusion of trial is likely to take some time, therefore, at this stage, he may be granted bail.

4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail.
5. Having considered the submission made by learned counsel for the parties, the nature of injuries sustained by the victims and co-accused persons have been released on bail by the co-ordinate Bench of this Court in MCRC No.7365/2020; the detention period of the applicant and conclusion of trial is likely to take some time, without commenting on merits, I am inclined to grant bail to the applicant.
6. Accordingly, the bail application is allowed.
7. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety of like amount to the satisfaction of the concerned Trial Court, he shall be released on bail on following conditions:-
  - (a) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
  - (b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
  - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
  - (d) he shall not involve himself in any offence of similar nature in future.

Sd/  
**(Gautam Chourdiya)**  
**Judge**