

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1783 of 2021**

- Mirza Alim Beg S/o Mirza Id Beg, aged about 20 years, R/o Ward No. 11, Thankhamhariya, District Bemetara (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Thankhamhariya, District Bemetara (C.G.)

---- Respondent

For Applicant : Mr. Samir Singh, Advocate.
 For Respondent/State : Mr. Devendra Pratap Singh, Dy. A.G.

Hon'ble Smt Justice Rajani Dubey**Order on Board****12/05/2021**

Proceeding through video conferencing.

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.181/2020, registered at Police Station – Thankhamhariya, District Bemetara (C.G.) for the offence punishable under Sections 294, 506, 307/34 IPC.
2. The prosecution story, in brief, is that on 07.12.2020, on account of dispute relating to number of drum beaters, the applicant along with co-accused persons assaulted Devendra Sinha and stabbed the knife in his abdomen, due to which he sustained grievous injuries. He was admitted in hospital and thereafter, discharged on 23.12.2020 after surgery. Based on this, offence has been registered. The present applicant has taken into custody on 26.12.2020.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the case. He further submits that vide order dated 17.02.2021 passed in MCRC No.247/2021, other co-accused persons

namely Mod. Saif and Rupesh Netam have already been granted bail by this Court. He further submits that the applicant is in custody since 26.12.2020 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 co-accused persons have already been granted bail by this Court, without further commenting on merits of the case, I am inclined to release him 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 1,00,000/- with two sureties of 50,000/- each to the satisfaction of the trial Court for his appearance before the said Court as and when directed.
9. I.A.No.02/2021, application for urgent hearing during summer vacation also stands disposed of.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Vacation Judge