

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7313 of 2020

- Shubham Yadav S/o Shyamlal Yadav Aged About 21 Years R/o Bandhwapara, Raipur, Tahsil And District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Purani Basti, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri C.R. Sahu, Advocate
For Respondent/State	: Shri Dinesh Tiwari, Dy.G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

07.01.2021

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 10.07.2020 in connection with Crime No.188/2020 at Police Station- Purani Basti, District- Raipur (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
2. The allegation against the applicant is that on 08.07.2020 at about 10.15 p.m. the applicant was abusing in front of house of Deepak Yadav, thereafter, Deepak Yadav, Pukhraj and Chagan came out from home and went towards Yadav Bhavan, there Shubham attacked on Deepak Yadav with sharp knife and gave stabbed injury to his stomach and ran away.
3. Learned counsel for the applicant submits that the allegations against the applicant is false and fabricated, he is falsely implicated in the case because of previous enmity. He submits that the applicant/accused has no criminal antecedents and

conclusion of the trial is likely to take some time, therefore, at this stage, he may be granted bail.

4. On the other hand, learned State Counsel opposes prayer for grant of bail. He further submits that the applicant has no criminal antecedents.
5. Having considered the submission made by learned counsel for the parties, taking into consideration the nature of allegation and detention period of the applicant and the fact that the applicant has no criminal antecedents as admitted by both the counsel and conclusion of the trial is likely to take some time, therefore, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail, he is directed to appear before the Trial Court on each and every date given to him by the said Court, till disposal of the trial.
6. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge

Nadim