

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7065 of 2021**

- Sunil Mandotiya, S/o Bhawar Lal Mandotiya, Aged About 24 Years, R/o R. D. A. Colony, Hirapur, Thana Kabir Nagar, District Raipur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through P.S. Telibandha, District- Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Anway Tiwari, Adv.
For Respondent/State : Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.10.2021**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 303/2021 registered at Police Station- Telibandha, District- Raipur (C.G.) for the offence punishable under Sections 327, 294, 323, 506 & 34 of IPC.
2. The prosecution story, in brief is that, complainant lodged a report alleging that on the date of incident, at about 7:00 PM, applicant and other co-accused demanded some money from the complainant for liquor, which was denied by the complainant. Thereafter, accused persons assaulted the complainant by hand and fist and also with sharp object, as a result of which, complainant sustained injuries.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the injuries sustained by the complainant are of simple in nature and the offence is triable by

the Judicial Magistrate First Class. He further submits that the applicant is in jail since 08.08.2021, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that there are two antecedents registered against the applicant, therefore, no case is made out for grant of bail to the applicant.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the present applicant is not a main accused person and the offence is triable by the Judicial Magistrate First Class, 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

R/-