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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 6997 of 2021**

Sheikh Sajid @ Raja, Aged about 21 years, S/o- Sheikh Mahmud, R/o- Mathpuraina, BSUP Colony, Block No.-18, House No.15, P.S. - Tikrapara, Raipur, Tehsil & District – Raipur (C.G.)

**---- Applicant****Versus**

State of Chhattisgarh, Through – Police Station – Tikrapara, District Raipur (C.G.)

**----Non-applicant**


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For Applicant : Mr. Pushkar Sinha, Advocate.  
For Non-applicant : Mr. Anil Tripathi, Panel Lawyer.

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**Hon'ble Shri Justice N.K. Chandravanshi****Order On Board****26.11.2021**

(1) The applicant/accused has preferred this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail in connection with Crime No. 116/2021 registered at police Station Tikrapara, District Raipur for commission of offence punishable under Sections 294, 506(b), 327, 324 of IPC & Sections 25 & 27 of Arms Act.

(2) Case of the prosecution, in brief, is that since the complainant refused to give money to the applicant for consuming liquor, hence, the applicant assaulted the complainant by knife and caused grievous injuries to the left arm of the complainant. Based on above facts, present crime was registered against the applicant under Sections 294, 506(b), 327, 324 of IPC & Sections 25 & 27 of Arms Act.

(3) Learned counsel appearing for the applicant would submit that applicant is innocent person and he has been falsely implicated in the crime in question as he has not committed the alleged crime. He would further submit that there is no

medical report with regard to grievousness of the alleged injuries caused to the complainant. He would further submit that the applicant is in jail since 30.4.2021; charge-sheet has been filed on 24.6.2021; despite that charges have not been framed yet, which shows that conclusion of the trial is likely to take considerable time, hence, the applicant may be enlarged on regular bail.

(4) Per contra, learned counsel for the State while opposing the submissions made by counsel for the applicant would submit that there are six criminal cases have been registered against the applicant, which shows that he is habitual offender, hence, he is entitled to be released on bail.

(5) I have heard learned counsel appearing for the parties and perused the case diary as well as material available on record.

(6) Considering the facts & circumstances of the case, nature & gravity of the offence, particularly taking into consideration that fact that applicant is in detention since 30.4.2021; long period has been elapsed after filing of charge-sheet but as has stated that charges have not been framed; applicant is said to be the permanent resident of District Raipur; therefore, there is no chance to influence the prosecution witnesses or absconding the prosecution witnesses; I am of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(7) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with two sureties 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 till disposal of the trial.

Certified copy, as per rules.

**Sd/-**

**(N.K. Chandravanshi)**  
Judge

D/-

