

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7368 of 2021**

- Pratap Singh Rana S/o Pansingh Rana Aged About 22 Years R/o F-8, Imlibhatha, Bandhwapara, P. S. Sarkanda, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through : P. S. Sarkanda, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Devershi Thakur, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/10/2021**

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. 113/2021 registered at Police Station-Sarkanda, District - Bilaspur (C.G.) for the offence punishable under Section 302, 34 of the IPC.
2. The prosecution story, in brief is that, on some dispute the accused/applicant along with other co-accused persons assaulted the deceased by hands and fists on 24.01.2021 and thereafter again on 25.01.2021. However, no report was lodged of these two incidents. The deceased along with his family went to his in-laws' house where he complained of pain and inflammation in his hands, legs and chest. He was taken to the hospital where he was declared brought dead. In the postmortem report, the deceased was found to have sustained abrasions. Based on this, offence has been

registered against the present applicant and other co-accused persons.

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 other co-accused persons have already been granted bail in MCRC No. 3755/2021 by this Court, therefore the present applicant may also be enlarged on bail. The applicant is in jail since 14.09.2021, 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.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the other co-accused persons have already been granted bail by this Court, and 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. 50,000/- 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**