

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8402 of 2020**

- Chandra Prakash Sarathi @ Bani S/o Jhaduram Sarathi Aged About 23 Years R/o Saraibhaddar Chowk, Jutemil, Raigarh Tahsil And District Raigarh, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station City Kotwali, Raigarh District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Amit Sharma, Adv.
For Respondent/State	:	Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/03/2021**

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. 629/2020 registered at Police Station-City Kotwali, District - Raigarh (C.G.) for the offence punishable under Sections 458 and 307 of the IPC.
2. In this case it is alleged that the applicant had attacked to victim with a sharp weapon and caused injuries to her. It was also alleged that a blow to the head till neck was aimed at her but was averted by the complainant otherwise which would have caused her death. Based on this, offence has been registered against the present applicant.
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 charge-sheet has been filed and the applicant is in jail since 16.09.2020, 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 the applicant did a serious offence; therefore, he may not be released on bail.
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 applicant is in jail since 16.09.2020 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. 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**