

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7894 of 2021**

Dindayal Dadsena S/o Dhaniram, aged about 55 years, Caste Dadsena R/o Village Bamhanidih, P.S. Bamhanidih, District Janjgir-Champa (C.G.).

---- Applicant

Versus

State of Chhattisgarh through: Station House Officer, P.S. Bamhanidih, District Janjgir-Champa (C.G.).

---- Respondent

For Applicant : Mr. F.S. Khare, Advocate
For Respondent : Mr. Sushil Sahu, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order on Board

26/10/2021

Heard.

1. The applicant has preferred this first Bail Application under Section 439 of Code of Criminal Procedure, 1973 in connection with Crime No. 67/2021 registered at Police Station- Bamhanidih, District Janjgir-Champa (C.G.) for the offence punishable under Sections 452, 294, 323 and 506/34 of the IPC.
2. Case of the prosecution in brief is that on 16/09/2021 Complainant- constable Nand Kumar Darvesh (henceforth 'the Complainant') made a written complaint alleging therein that at about 09:00 pm, the accused persons namely Bharat lal Dadsena and Dindayal Dadsena entered into his

house and abused him, threatened him and committed marpeet with him by hands and fists. Based on the written report, the offence has been registered against the applicant and he has been arrested on 17/09/2021.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant is aged about 55 years, he is in custody since 17/09/2021 and trial is likely to take some time, therefore, he prays to release the applicant on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard counsel for the parties.
6. Considering the facts and circumstances of the case, particularly the fact that the offence is triable by the JMFC, the applicant is aged about 55 years who is in jail since 17/09/2021 and conclusion of trial is likely to take some time, I am of the view that it is fit case to enlarge the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 10,000/- with one surety of the like sum amount to the satisfaction of the trial Court. The applicant is further directed to appear before the trial Court on the dates given by the said Court.

Sd/-
(Deepak Kumar Tiwari)
Judge