

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8013 of 2021**

1. A. Chennaiah @ Chinna, S/o Shri A. Chankesh, aged about 40 years, R/o Q. No.31, Block No.3, Staff Quarter Bhilai Hotel, Civic Centre, Bhilai Nagar, Police Station Bhilai Nagar, District Durg (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station In-Charge Officer, Police Station Bhilai Nagar, District Durg (CG)

---- Non-Applicant

For Applicant	: Shri Lav Sharma, Advocate.
For Non-Applicant	: Shri Vaibhav Kartikey Agrawal, Panel Lawyer.

Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****28/10/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.128/2021 registered in Police Station Bhilai Nagar, District Durg for offence under Section 294, 392 & 435 of the IPC.
2. Case of the prosecution, in brief, is that a written complaint has been lodged by the victim Nazma Hussain on 6th March, 2021 stating that on 4th March, 2021 at 10 pm, son of the complainant Aftab Hussain and his brother Ahmed Hussain were going on Activa two wheeler bearing registration No.CG-07 BD/2667 for carrying sand. Due to previous enmity, Kandari, Venkatesh & other persons abused and assaulted he complainant's son Aftab Hussain, which was informed by him to his

mother and thereafter she went to the place of occurrence and saw that the present applicant was using filthy language and was threatening the complainant. Therefore, FIR has been lodged.

3. Learned counsel for the applicant submit that the applicant is innocent and has been falsely implicated in the case. The applicant has not committed any offence. The applicant is in jail since 20.8.2021.
4. On the other hand, learned State Counsel opposes the bail application on submission that there are so many incidents prior to the present incident reported against the applicant.
5. Considering the facts and circumstances of the case, particularly the statement of Aftab Hussain which was recorded on 25.10.2021 and has been filed in support of the bail application in which the said witness categorically denied the incident and stated that the applicant has not participated in the offence in any manner, this Court finds fit to enlarge the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.10,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Deepak Kumar Tiwari)
Judge