

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8648 of 2020**

- Anil Dhruw, S/o Shri Santosh Dhruw, Aged About 19 Years, Caste Gond, Resident Of Village Bargad Chowk Majarkatta, Tahsil & Police Station- Gariyaband, District- Gariyaband Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- Gariyaband, District- Gariyaband Chhattisgarh.

---- Respondent

For Applicant	: Mr. A.D. Kuldeep, Adv.
For Respondent/State	: Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.03.2021**

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. 223/2020 registered at Police Station- Gariyaband, District- Gariyaband, (C.G.) for the offence punishable under Sections 294, 323, 506(b) & 307 of IPC.
2. The prosecution story, in brief is that, it has been alleged that, on 29.10.2020, present applicant assaulted the victim by hard and sharp weapon due to which he (victim) sustained grievous injuries on neck. Thereafter, 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 both the parties have arrived at a compromise and the applicant is not having any criminal antecedent. He next added the applicant is in jail since

29.10.2020 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 the submission made in this respect. It is submitted that an axe has been recovered from the possession of the applicant and the injuries sustained by the victim is of serious in nature which could cause death, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 29.10.2020 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**

Ruchi