

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8866 of 2020

- Rahul Singh S/o Late Arunendra Kumar Singh Aged About 22 Years
R/o Kotadol, P.S. Kotadol, Distt. Korea (Chhattisgarh). ---- **Applicant**

Versus

- State Of Chhattisgarh Through Incharge Police Station Kotadol,
District Korea (Chhattisgarh). ---- **Respondent**

For Applicant	: Smt. Usha Chandrakar, Advocate
For Respondent/State	: Dr. Veena Nair, Dy. A.G.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

07.01.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 29.09.2020 in connection with Crim No.11/2019, at Police Station- Kotadol, District- Korea (C.G.) for the offence punishable under Section 307 of IPC and Section 25, 27 of Arms Act.
2. The allegation against the applicant is that the applicant namely Rahul Singh assaulted Assistant Sub Inspector Vijay Dubey on his left head by knife on 19.05.2019 at night about 7.00 p.m. near shop of Pappu Singh at Durga Bus Stand, when the complainant Vijay Dubey was waiting there for his meal which was coming from Ambikapur. Based on this, report was lodged and after investigation, the applicant was arrested.
3. Learned counsel for the applicant submits that the allegations against the applicant is false and fabricated, he is falsely implicated in the case. He submits that nature of injury is simple in nature and that the applicant/accused has no criminal antecedents and conclusion of the trial is likely to take some time, therefore, at this stage, he may be granted bail.
4. On the other hand, learned State Counsel opposes prayer for grant of bail. He further submits that the applicant has no criminal antecedents.

5. Having considered the submission made by learned counsel for the parties, the fact that the victim was discharged from the hospital on the same day i.e. 19.05.2019 with advice to take rest for three days, detention period of the applicant and the fact that the applicant has no criminal antecedents as admitted by both the counsel and conclusion of the trial is likely to take some time, therefore, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail, he is directed to appear before the Trial Court on each and every date given to him by the said Court, till disposal of the trial.
6. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge

Nadim