

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9263 of 2021**

- Amar Ahuja, S/o Mohan Lal Ahuja, Aged About 52 Years, R/o Goutam Daily Needs, Gali No. 03, Ravigram, Telibandha, Raipur, District Raipur Chhattisgarh.

----Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Telibandha, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Shivendu Pandya, Adv.
For Respondent/State	: Mr. Sushil Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.12.2021**

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. 467/2021 registered at Police Station- Telibandha, District Raipur (C.G.) for the offence punishable under Sections 294, 506, 323, 327 of IPC.
2. The prosecution story, in brief, is that complainant lodged the report alleging that on the date of incident, applicant demanded money for taking ganja from the complainant. On refusing the same, applicant started beating the complainant and abusing him in filthy language. It is further alleged that applicant threatened the complainant. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
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 the injuries sustained by the complainant are simple in nature. He next added that the applicant is in jail since 11.10.2021, charge-sheet has been filed 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 the offence committed by the applicant is of serious in nature, and, 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 11.10.2021 and charge-sheet has been filed, 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. 1,00,000/-, 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**