

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6380 of 2022**

- Chandra Prakash Sahu S/o Late Krishna Kumar Sahu Aged About 18 Years R/o H.No. 154, Kelabadi Ward No. 41, Near Sahu Pan Shop, Durg, District Durg (C.G.) (Wrongly Mentioned As Krishna Kumar Sahu In The Impugned Order).

---- Applicant**Versus**

- State of Chhattisgarh, Through - Police Station - Somni, District - Rajnandgaon, (C.G.).

---- Respondent

For Applicant	:	Mr. Prasoon Agrawal, Adv.
For Respondent/State	:	Ms. Smriti Shirvastava, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/08/2022**

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. 106/2022 registered at Police Station Somni, District-Rajnandgaon (C.G.) for the offence punishable under Sections 147, 148, 149, 307, 427 of IPC and Sections 25 & 27 of the Arms Act, 1959.
2. The prosecution story, in brief, is that on the date of the incident i.e. 22.05.2022 at about 5:40 hours a driver of the scooty met with an accident with the truck which was standing in front of the petrol pump near a restaurant, due to this driver of scooty and one other person fall on the road. The allegation against the present applicant is that he along with the other co-accused persons committed *maar-peet* with the truck driver. It is further alleged that when the owner of the restaurant was trying to intervene then one of the co-accused assaulted with a sharp knife and iron rod, due to this

injured Gaurav Yadav and Deepak Yadav sustained injuries. It is also alleged that the applicant along with other co-accused persons broke the table, chair, motorcycle and cash counter of the restaurant. Based on this 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 the injuries sustained by the complainant are not grievous in nature. He next submits that the applicant is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Court. He also submits that the applicant has no previous criminal background and he is in jail since 22.05.2022. Charge-sheet has been filed and 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 submits that there are multiple abrasions have been found on the body of the complainant.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant that he is in jail since 22.05.2022, 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 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 till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge