

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6621 of 2015

Shyamlal S/o Shivbaran Aged About 32 Years Caste Dhobi, R/o Village Naugai, Police Station & Tahsil Sonhat, District Korea, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, P.S. Sonhat District Korea, Chhattisgarh

---- Respondent

For Applicant	:-	Shri Anil Gulati, Advocate
For Respondent/ State	:-	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

30/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 97/2015 registered at Police Station- Sonhat, District – Korea (C.G.) for the offence punishable under Sections 148, 149, 294, 506, 323, 326/34 of IPC.
2. As per the prosecution case in brief is that on 17.09.2015, the applicant alongwith the other co-accused persons have jointly assaulted to Singu Ram with the help of hand, club, iron rod by whereby he sustained four injuries and one fracture on his body. It is further alleged that the applicant and other co-accused also inflicted injuries to the complainants Meena Rajak, Shishankar, Vishnu and Ramlakhan and the incident occurred because of Meena Rajak wife of Singu Ram who runs the society wherein she used to misappropriation in the accounts of the share holders.

3. Counsel for the applicant submits that the applicant is in jail since 03.10.2015 and the charge sheet in this case has already been filed and as all the offence are triable by JMFC and considering the nature of offence levelled against the applicant, and therefore, he may be enlarged on bail.
4. Per contra, state counsel opposes the application for grant of bail.
5. Considering the fact and circumstances of the case and the nature of offence and the allegation level against the applicant and further taking the fact that the charge sheet in this case has been filed and the offence is triable by the JMFC and the applicant is in jail since 03.10.2015, this Court is of the opinion, that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when is directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge