

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6733 of 2015

- Santosh Kumar S/o Puniram Aged About 30 Years Caste - Patel, Occupation - Agriculturist, R/o Village - Aamapali, Police Station - Baradwar, Revenue & Civil District - Janjgir Champa Chhattisgarh --- **Petitioner**

Versus

- State Of Chhattisgarh Through District Magistrate District Janjgir Champa Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Yogeshwar Sharma, Advocate
For the Respondent	:	Mr. Ashish Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 319/2015 registered at P.S. Baradwar, (C.G) for the offence punishable under Section 457 IPC.
2. Prosecution case, in brief, is that the applicant entered into the house of complainant Jogi Ram with an intention to commit theft, however, he was spotted by the complainant and the applicant entered into scuffle with the complainant wherein he got injury, thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant was called to test and correct the electricity, however, when he went to the house of applicant, the scuffle took place and the applicant himself was assaulted. He submits that the applicant is in jail since 27.10.2015 and prays for releasing him on bail.
4. Per contra, learned State Counsel opposes the bail

application.

5. Considering the gravity of offence and the nature of allegations and the way in which the offence committed and further looking to the detention period of the applicant as he is in jail since 27.10.2015, this Court is inclined to release him on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**