

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7041 of 2015

Laxmi Prasad Ratre, S/o. Nammu Ratre, Aged About 24 Years, R/o. Village Rampur, Police Station Bhakhara, Tehsil Kurud, District Dhamtari, Civil & Revenue District Dhamtari, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Bhakhara, District – Dhamtari, Chhattisgarh

---- Respondent

For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent : Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/12/2015

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.190/2015, registered at Police Station– Bhakhara, District Dhamtari (C.G.) for the offence punishable under Section 294, 323, 324, 326, 506 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 16.10.2015 at about 2 A.M. in the night the applicant abused the complainant Dikeshwar Sahu and Ghanshyam Sahu and thereafter assaulted by way of Blade whereby Dikeshwar Sahu sustained simple injury and Ghanshyam Sahu sustained grievous injury. Therefore, the offence has been registered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the charge sheet has been filed and no further evidence is required. He further submits that taking into nature of allegation, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case; considering the degree of allegation leveled against this applicant; taking into fact that the charge sheet has been filed; the offence is triable by JMFC and the applicant is in jail since 16.10.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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 directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge