

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1984 of 2016**

Gorelal @ Durgesh, S/o. Manohar Markam, aged about 24 years, R/o. Basantpur, Thana-Basantpur, Distt.Rajnandgaon (CG)

---Applicant

Versus

State of Chhattisgarh Through–Police Station –Basantpur, District-Rajnandgaon (CG)

---Non-applicant

For Applicant	:	Mr. Samir Singh, Advocate
For Non-applicant	:	Mr. Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

20/04/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.395/2015, registered at Police Station-Basantpur, District-Rajnandgaon (CG), for the offence punishable under Sections 450, optional 329/34, 294 and 506 Part-II of the IPC.

2. Case of the prosecution, in brief, is that the applicant is said to have been caused grievous injuries to complainant Mohd. Sheikh Arif to extort money.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that there is dispute of money transaction between the parties and dispute arose of

that. The complainant only hospitalized for one day, the applicant is in jail since 31.12.2015 and charge-sheet has already been filed.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the complainant has suffered fracture.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant, nature of dispute and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-