

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2348 of 2016

- Amit Shrivastava @ Chhotu S/o Late Ramlal Shrivastava Aged About 25 Years Occupation Agriculturist, R/o Village - Kalmideepa, Tahsil And Distt. Raigarh Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station City Kotwali, Raigarh, Distt. Raigarh Chhattisgarh.

---- **Respondent**

For the applicant	:	Ms. Pritha Ghoshal, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.122/2016 registered at P.S. City Kotwali, Raigarh, Distt. Raigarh (C.G) for the offence punishable under Section 307 IPC.
2. As per the prosecution case, on 06.03.2016 complainant Chainu Ram entered into altercation with some person, at that time, this applicant interfered and stopped the quarrel. Subsequently after the incident, Chainu Ram alongwith Anil Mahant went to the applicant and they stated that he did not mediate the quarrel properly. During such talk, situation aggravated and when the complainant and his colleague Anil Mahant were fleeing away, the applicant assaulted them by way of razor thereby the offence is committed.
3. Learned counsel for the applicant submits that the nature of injury sustained by the complainant would show that it is simple in nature and the applicant did not go to the

complainant instead the complainant and his colleague Anil Mahant were aggressors. She further submits that the charge sheet has been filed and the applicant is in jail since 08.03.2016, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the medical report which shows that the injury sustained by the applicant was simple in nature.
6. Considering facts and circumstances of the case and degree of allegations levelled against the applicant and taking into consideration the medical report as also the the fact that the charge sheet in this case has been filed and the applicant is stated to be in jail since 08.03.2016, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed and 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 shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**