

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2443 of 2016

A.N. Arjun @ Akki, S/o. A. Polaiya, Aged About 28 Years, R/o. SHA, Block-06, Room- 15, Hospital Sector, P.S. Bhilai Nagar, Tah. & Distt. Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Police Station Bhilai Nagar, Distt. Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Vipin Tiwari, Advocate

For Respondent : Mr. O.P.Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.06.2016

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.516/2015 registered at Police Station- Bhilai Nagar, District Durg (C.G.) for the offence punishable under Section 294, 323, 307, 120-B, 506-B, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 26.12.2015, the complainant was called by the applicant and other co-accused and when the complainant reached, he was assaulted by knife and thereby the offence is committed.
3. Learned counsel for the applicant would submit that the complainant used to tease the sister of the applicant, which was objected and for which an altercation started. He further submits that the charge sheet has been filed and the nature of injury are simple in nature, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement and the medical report. The medical report shows that the nature of injury are simple in nature. Considering the background of this case and the medical report and taking into fact that the charge sheet has been filed and the applicant is in jail since 27.01.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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/-
(Goutam Bhaduri)
Judge