

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3788 of 2016

Bhagwan Prasad Yadav, Aged About 60 Years, S/o Late Shri Sakaldeep Yadav, Caste Yadav, R/o H. No. 243/1, Ward No. 1, Ramsagar Para, Near Daliya Godown, Korba, Tahsil & District Korba, Chhattisgarh. Civil & Revenue District Korba, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through Police Station-City Kotwali, District Korba, Chhattisgarh.

---- Respondent

For applicant - Shri A.K. Prasad, Advocate.
For Respondent/State – Shri Lav Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.73/2016 registered in Police Station City Kotwali, District-Korba (C.G.) for offence punishable under sections 354, 294, 323/34 of IPC.
2. As per the prosecution case, the complainant Anita Yadav used to stay at Sanjay Nagar, Korba and in one more house which is situated at Ramsagar Para, Korba. The complainant and their family members had claimed their right over the same house, for which a case is pending before the Court of SDM at Korba. It is alleged that on 10/02/2016 the complainant who had left some goods in the old house at Ramsagar Para went to fetch them i.e. mark sheet of her children, at that time, the applicant and the other family members objected to it and thereafter the complainant forcefully entered into the house, which resulted into scuffle and she was assaulted by the applicant and other other co-accused.
3. Learned counsel for the applicant submits that applicant has been

falsely implicated in this case and because of the property dispute false allegations have been levelled. It is submitted that applicant is brother-in-law of the complainant and charge sheet in this case has been filed, no further investigation is necessary, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Considering the facts and circumstances of the case, degree of allegation, charge sheet has been filed and applicant is in jail since 2/06/2016, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE