

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 36 of 2016

Akash Tiwari @ Basu S/o Arun Tiwari Aged About 30 Years R/o
Near Shiv Mandir, Subhash Nagar, Durg, P.S. Durg, District Durg
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Pulgaon, District Durg Chhattisgarh.

---- Respondent

For applicant - Shri Jitendra Gupta, Advocate.
For Respondent/State – Shri Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 526/2015 registered in Police Station Pulgaon, District Durg (C.G.) for offence punishable under section 294, 506, 324, 307/34 of Indian Penal Code.
2. As per the prosecution case on 23/10/2015 the applicant along with other co-accused has assaulted Anil Dhankar by knife over the dispute which was existing in between them.
3. Learned counsel for the applicant submits that dispute arose over the procession during the immersion of Durga idol and subsequently, when the applicant was near Shivrath river then altercation started and he was attacked. He submits that victim was admitted to the hospital and injury was not grievous in nature and he was discharged on the same day, therefore, the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. I have perused the documents and the charge sheet. Perused the

medical document which shows that injury which was caused it is non grievous hurt. Taking into nature of injury and the fact that charge sheet has been filed and applicant is in jail since 24/10/2015, 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