

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 318 of 2016

- Narayan Thakur @ Golu S/o Naresh Thakur Aged About 23 Years R/o New Adarsh Nagar, Atal Niwas, Ward No. 53, Tahsil and District Durg Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Pulgaon, District Durg Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. B.P. Singh, .Advocate
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 526 of 2015 registered at P.S. Pulgaon, Distt. Durg (C.G) for the offence punishable under Sections 294, 506-B, 324, 307, 34 of IPC.
2. As per the prosecution case on 23.10.2015, the applicant along with other co-accused has assaulted Anil Dhankar by knife over some dispute which was existing 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 Shivnath river then altercation started and he was attacked. He submits that the victim was admitted to hospital and injury was not grievous in nature and he was discharged on the same day, therefore, the applicant may be released on bail. He further submits that co-accused Akash Tiwari @ Basu against whom allegations of assault has been made has already been enlarged on bail by this Court in M.Cr.C.No.36 of 2016 vide

order dated 20.01.2016.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the documents and the charge sheet. Also perused the medical documents which shows that injury which was caused is non-grievous.
6. Taking into nature of injury and the fact that the charge sheet has been filed and the applicant is in jail since 24.10.2015 as also the fact that similarly placed co-accused has been enlarged on bail by this Court, this Court is inclined to release him on bail.
7. Accordingly, the 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 is directed to appear before the trial Court as and when directed by the said Court.
8. C.c. today.

Sd/-

**GOUTAM BHADURI
JUDGE**