

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 3525 of 2016**

1. Arjun Sahu, S/o. Heera Lal Sahu (wrongly mentioned as Heera Sahu in the rejection order), aged about 22 years, R/o. Telibandha, Raipur, Post Office – Raipur, Police Station – Telibandha, Raipur, Tahsil and District-Raipur (C.G.)

----Applicant

**Versus**

1. State of Chhattisgarh, Through : the S.H.O., Police Station – Chhuriya, District – Rajnandgaon (C.G.)

---- Respondent

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| For Applicant        | : Mr. Shivendu Pandya, Advocate |
| For Respondent/State | : Mr. Vinod Tekam, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**12/07/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.54/2016, registered at Police Station – Chhuriya, District – Rajnandgaon (C.G.) for the offence punishable under Section 294, 326, 341, 506/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 24.03.2016, the applicant along with other co-accused persons assaulted Kamal Sinha by way of club and stab injury was caused. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that prior to this incident, the injured had tried to outrage the modesty of sister of the applicant, namely Neha Sahu for which a report was made as per FIR which is filed along with this bail application bearing crime No.52/2016 and because of such act, the dispute arose in between the parties and in order to avoid such case, the false report has been made. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 29.03.2016, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the document filed along with the bail application, which shows that a report was made by Neha Sahu against the injured, Kamal Sinha, which is registered as Crime No.52/2016, thereby the injured tried to outrage the modesty of the sister of the applicant and thereafter, it appears that some dispute arose and the applicant assaulted the injured by way of club. Considering the facts and circumstances and the background of this case and the fact that charge-sheet in this case has been filed and the applicant is in jail since 29.03.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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.
9. Certified copy as per rules.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge