

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4507 of 2016

1. Babu Lal Khes, S/o. Shri Sukhana Khes, aged about 45 years, R/o. Village-Kapia-bhona, P.S. Kapu, Tah. Dharamjaigarh, District – Raigarh, Civil and Revenue District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station- Kapu, District – Raigarh (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Manoj Kumar Sinha, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/08/2016

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.37/2016, registered at Police Station – Kapu, District – Raigarh (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 30.03.2016, the applicant assaulted the victim, Dilbodh Uraon by way of Axe over an old dispute. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that charge-sheet in this case has been filed and no bonee injury was shown. It is further submitted that the applicant is in jail since 02.04.2016 and no further evidence is required, therefore, the counsel prays that 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 charge-sheet. Considering the medical report and the fact that the applicant is in jail since 02.04.2016 and further considering the facts and circumstances of the case, 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