

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4648 of 2016

Shailendra Sonkar, S/o. Pawan Sonkar, Aged About 34 Years, R/o. Adarsh Nagar, Kushalpur, Post Office Raipur, Police Station- Purani Basti, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Tikrapara, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

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 for grant of regular bail to the applicant who has been arrested in connection with Crime No.240/2016 registered at Police Station- Tikrapara, District Raipur (C.G.) for the offence punishable under Sections 452, 427, 294, 323, 506/34 of Indian Penal Code.
2. As per the prosecution case, on 19.06.2016 the applicant alongwith other three co-accused persons went to the Petrol Pump at about 1 a.m. and thereafter some altercation took place and the applicant forcefully entered into the cabin and assaulted the employees of the Petrol Pump.
3. Learned counsel for the applicant would submit that the statement would show that the applicant has not taken part of any assault as he was suffering from Paralysis and he has only assaulted by way of fist. He further submits that the main allegations have been

attributed to one Deepak, therefore, considering the same and the role played by this applicant, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the victim Rahul Kaushik. Considering the statement and taking into the role played by this applicant and the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge