

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4875 of 2016

- Sagram @ Sangram S/O Shri Bachansai Aged About 19 Years R/O Village Kondichuva, P.S. And Tahsil Kapu, District Raigarh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. Of The Police Station Kapu, District Raigarh Chhattisgarh.

---- Respondent

For Applicant : Mr. Abhishek Saraf, Advocate
For Respondent/State : Mr. Aravind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23-08-2016

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 on 29-06-2016 in connection with Crime No. 55 of 2016, registered at Police Station Kapu, District Raigarh (CG) for the offence punishable under Sections 294, 323, 324, 326 of the IPC.
2. Case of the prosecution, in brief, is that over a play of disk jockey (DJ), the victim and the applicant entered into a dispute and thereafter the applicant assaulted the victim Chandrasai on his knee by way of axe and Amul Yadav and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that through the injury was reported to be grievous, but it was not fatal to take away the life and victim was discharged after two days from the hospital. He would further submit that charge-sheet has been filed in this case, the applicant is jail since 29-06-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have perused the case diary and documents.
6. Perused the statement of the victim and also the medical report.
7. Taking into consideration the facts and circumstances of the case, nature of injury sustained by the victim and further considering the fact that the charge-sheet has been filed and the applicant is in jail since 29-06-2016, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju