

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4774 of 2016

- Baldau Nagvanshi S/O Shri Laxminath Nagvanshi Aged About 26 Years R/O Village Umerpoti Post Gobra Navapara Distt. Raipur Civil And Rev. Distt. Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Gobra, Navapara, District Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Ajay Mishra, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22-08.2016

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 1-6-2016 in connection with Crime No. 73 of 2016, registered at Police Station Gobra, Navapara, Raipur (CG) for the offence punishable under Sections 294, 323, 506 and 307 of the IPC.
2. Case of the prosecution, in brief, is that on 20-3-2016, the applicant entered into a dispute with one Khomam Sahu and during altercation the applicant assaulted him by way of wooden stick and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that initially the case was registered under Sections 294, 323 and 506 of the IPC and thereafter query report was sought for and Section 307 of IPC was added. The evidence shows that the offence under

Section 307 of the IPC is not made out. It is further submitted that charge-sheet has been filed, the applicant is in jail since 1-6-2016 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 also perused the case diary and the documents.
6. Perused the statement of the victim and also medical report.
7. Taking into consideration the facts and circumstances of the case, and further considering the statement of the victim and medical report and also the fact that charge-sheet has been filed, the applicant is in jail since 1-6-2016, this court is 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