

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5225 of 2016

- Ibran Ansari @ Imran Ansari S/O Yasin Ansari Aged About 26 Years R/O Nagartoli, Sanna, Police Station Sanna, District Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sanna, District Jashpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. J.K.Saxena, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06-09-2016

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 11-03-2016 in connection with Crime No. 9 of 2016, registered at Police Station Sanna, District Jashpur (CG) for the offence punishable under Sections 294, 506, 323, 307 of the IPC.
2. As per prosecution case, on 15-2-2016 the applicant assaulted his wife namely Heena Parveen by way of club on her head and hands as a result of which she sustained injuries and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the dispute occurred in between husband and wife and there is no intention to kill his wife. He would further submit that charge-sheet has been filed in this case, he is in jail since 11-3-2016 and no

further investigation is required, therefore, the applicant may be released on bail.

4. *Per contra*, 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 complainant and also medical report which would show the fracture of metacarpal bone and two fingers.
7. Taking into consideration the facts and circumstances of the case and considering the back-ground of the case in which the incident occurred in between husband and wife and also the fact that charge-sheet has been filed, the applicant is in jail since 11-3-2016 and no further evidence is required, 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