

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6151 of 2016

Ram Yadav, S/o. Haricharan Yadav, Aged About 50 Years, R/o. Kewa,
Thana Nawagarh, District Janjgir – Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - District Magistrate, Janjgir, Thana -
Nawagarh, District Janjgir – Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.10.2016

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.192/2016 registered at Police Station- Nawagarh, District Janjgir-Champa (C.G.) for the offence punishable under Section 294, 506, 323, 307 of Indian Penal Code.
2. As per the prosecution case, on 21.01.2016 over the payment of labour charges, dispute took place in between the complainant Bahadur Lal Bareth and the applicant and altercation erupted and the applicant by way of handle of the Axe assaulted the victim Bahadur whereby he suffered injury and when he raised alarm, he was saved by other villagers; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the dispute arose over payment of labour charges as the complainant did not pay the labour charges which will resulted into an altercation and scuffle. He further submits that there is no intention to kill and the

weapon which has been used is a handle of the Axe. He submits that the charge sheet in this case has been filed and no further investigation is necessary; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, statement of the victim as also the medical report. Considering the facts & circumstances and the fact that the charge sheet has been filed and further considering the nature of injury and background of the case and the way the dispute has erupted, 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