

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6278 of 2016

- Shankar Ram S/o Kishun Ram Aged About 30 Years R/o Sakratoli, Police Station - Kunkuri, District Jashpur Chhattisgarh
--- **Petitioner**

Versus

- State of Chhattisgarh through, Station House Officer, Police Station - Narayanpur, District, Narayanpur Chhattisgarh
--- **Respondent**

For the applicant	:	Mr. Vivek Tripathi, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 68/2016 registered at P.S. Narayanpur, Distt. Narayanpur (C.G) for the offence punishable under Section 307/34 of IPC and Section 25 of the Arms Act and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, on 20.6,2016 over a dispute of possession of land, the applicant and other co-accused attacked the complainant Hubeshwar Nagwanshi and his family members and during such dispute co-accused Kishun caused injury by arrow to Sudheshwar who is one of the brothers of the complainant and the present applicant also assaulted the son of injured Sudheshwar namely Sanjeev thereby the offence is committed.
3. Learned counsel for the applicant would submit that no grave

allegations have been attributed to this applicant that he has assaulted by hard and blunt object and only the allegation is that he he assaulted by fists and kicks and no weapon has been used by this applicant. He further submits that the charge sheet in this case has been filed; no further investigation is necessary and the applicant is in jail since 21.06.2016 and further taking into such nature of allegations attributed to the applicant, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of injured Sudheshwar and Sanjeev Ram.
6. Taking into the nature of allegations levelled against the applicant and role play by him as also the fact that the charge sheet in this case has been filed and the applicant is in jail since 21.06.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court/Remand Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**