

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6401 of 2016

1. Sawan Bai, W/o. Firtu Ram, Aged About 37 Years.
2. Firtu Ram, S/o. Udit Ram, Aged About 48 Years.
3. Vishambhar, S/o. Firtu Ram, Aged About 22 Years.

All are Caste- Satnami, R/o. Village Sonthi, Tahsil & Police Station Sakti, Civil & Revenue District Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through District Magistrate/ Station House Officer, Police Station Sakti, District Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants : Mr. Dharmesh Shrivastava, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.10.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.254/2016 registered at Police Station- Sakti, District Janjgir-Champa (C.G.) for the offence punishable under Section 498-A, 294, 323, 324, 506-B, 34 of Indian Penal code.
2. As per the prosecution case, a report was made by the complainant Smt. Sar Bai on 02.09.2016 that the applicant No.1 & 2 who are mother-in-law & father-in-law alongwith applicant No.3 who is husband used to treat the complainant with cruelty for demand of dowry and eventually on 02.09.2016 she was assaulted by way of Knife and she sustained injuries; thereby the offence is committed.
3. Learned counsel for the applicants would submit that the dispute arose because of the fact that the complainant wanted to go her maternal home during the festival of Teeja and having objected, the

dispute aggravated. He further submits that the nature of injury is simple and the charge sheet has been filed, therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the medical report, which shows the nature of injury to be simple in nature. Taking into the facts and circumstances of the case, nature of offence and degree of allegation and further considering the fact that the charge sheet has been filed and no further investigation is necessary, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge