

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6491 of 2016

Jethuram Sinha, S/o. Prabhuram Sinha, Aged About 60 Years, By Caste Kalar, R/o. Village Aandevada (Chindtola Para), Thana Kodekurse, Tahsil Durgukondal, District Uttar Bastar Kanker, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Kodekurse, District Uttar Bastar Kanker, Chhattisgarh.

---- Respondent

For Applicant : Mr. Parag Kotecha, Advocate

For Respondent : Mr. Avinash Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.10.2016

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.7/2016 registered at Police Station- Kodekurse, District Uttar Bastar Kanker (C.G.) for the offence punishable under Section 294, 323, 506-B, 307/34 of Indian Penal Code.
2. As per the prosecution case, on 09.07.2016, a dispute arose for entering of the Bull into the field of the complainant which subsequently aggravated and at that time the applicant came with an Axe and assaulted the complainant Smt. Indrawati and caused injury on the front temporal region and thereby tried to commit murder.
3. Learned counsel for the applicant would submit that only on the trivial issue, the incident happened and there was no intention to kill and the incident happened since the Bull entered into the field of the complainant. He further submits that the charge sheet in this

case has been filed 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. Perused the case diary and the documents. Considering the background of the incident and the manner in which it has happened and further taking into the statement of the complainant and the medical report and also considering the fact that the applicant is in jail since 05.08.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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