

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6628 of 2016

- Hemant Dhanwar S/o Julius Dhanwar Aged About 26 Years R/o B-739, Yamuna Vihar, N. T. P. C. Colony, Jamnipali, Thana Darri, Tahsil Katghora, District Korba Chhattisgarh

---- **Petitioner**

Versus

- The State Of Chhattisgarh Through District Magistrate District Korba Chhattisgarh

---- **Respondent**

For Applicant : Mr. Parag Kotecha, Advocate

For Respondent/State : Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07-11-2016

1. This is the second 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 30-7-2016 in connection with Crime No. 18 of 2016, registered at Police Station Darri, District Korba (CG) for the offence punishable under Sections 294, 323, 354, 307 of the IPC and Sections 8 & 12 of the Prevention of Children from Sexual Offences Act, 2012. First bail application was dismissed as withdrawn on 7-9-2016 with liberty to revive the same after charge-sheet has been filed.
2. Case of the prosecution, in brief, is that on 12-2-2016 while victim girl was returning to her home after playing badminton, at that time the applicant came there and tried to pass comment. Subsequently, he caught hold of her hands and assaulted her by way of knife on her neck. When the victim raised alarm other persons came there

and the applicant fled away from the spot and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the injury sustained by the victim is simple in nature. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 30-7-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents which would show the injury sustained by the victim girl is simple in nature.
6. Taking into consideration the facts and circumstances of the case and further considering the nature of injury which has been shown to be simple in nature and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 30-7-2016, this court is inclined to release the applicant on bail.
7. 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