

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6704 of 2016

Mahesh Kashyap S/o Shri Prem Kashyap Aged About 29 Years R/o Village Karitgaon, Police Station Nagarnar, District Bastar-Jagdalpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Nagarnar District Jagdalpur, Chhattisgarh.

---- Respondent

For applicant - Shri J.K. Gupta, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/11/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.124/2016 registered in Police Station Nagarnar Dist: Jagdalpur (C.G.) for offence punishable under section 307 of Indian Penal Code.
2. As per the prosecution case, on 13/07/2016 the applicant Mahesh Kashyap and Gangaram were quarreling, complainant/injured another person named Gangaram S/o Roopdhar tried to intervene, being enraged by that the applicant assaulted Gangaram by way of axe which was enough to cause his death.
3. Learned counsel for the applicant submits that on the trivial issue incident happened, there was no intention to kill, applicant and the injured they are relative and cousin to each other. He submits that charge sheet has been filed, no further investigation is necessary, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the injured and the medical evidence.

Considering the facts and circumstances, background of this case and relation inter-se between the complainant and applicant, they are cousin to each other, the way the incident erupted and also for the fact that charge sheet has been filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE