

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6736 of 2016

- Sushil @ Golu S/o Videshi Premi Aged About 21 Years R/o Village Jhumarpali, Ward No. 15, O.P. Bhatgaon, Police Station Bilaigarh, Civil & Revenue District Baloda Bazar- Bhatapara, Chhattisgarh. ---
Petitioner

Versus

- State of Chhattisgarh through O.P. Bhatgaon, Police Station Bilaigarh, Civil & Revenue District Baloda Bazar- Bhatapara, Chhattisgarh.
--- Respondent

For the applicant	:	Mr. Adil Minhaj, Advocate
For the Respondent	:	Mr. Avinash Mishra, Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.11.2016

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. 246 of 2016 registered at Out Post Bhatgaon, P.S. Bilaigarh, Distt. Baloda Bazar – Bhatapara (C.G) for the offence punishable under Section 307 IPC.
2. As per the prosecution case, a report was made on 02.08.2016 by victim Abhishek Banjare that the present applicant and the victim alongwith others consumed liquor, thereafter some dispute arose and the applicant while coming back on motorcycle assaulted the victim and caused injury on the neck by way of blade in order to take revenge of an earlier dispute.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the injury caused is not of such nature to show that there was

intention to kill the victim and on a trivial dispute the incident happened. It is further submitted that the charge sheet in this case has been filed and the applicant is in jail since 09.08.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of the victim.
6. Considering the statement of the victim and looking to the background of the case as also the fact that the charge sheet has been filed; no further investigation is necessary and the applicant is stated to be in jail since 09.08.2016, 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. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**