

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6731 of 2016

- Vishal @ Sunny Masih S/o Denial Masih Aged About 21 Years R/o Panna Nagar, Ring Road No.2, Bilaspur, Police Station- Civil Line, Tahsil & District- Bilaspur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station- Chakarbhata, District Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Suryakant Mishra, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel 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. 109 of 2016 registered at P.S. Chakarbhatha, Distt. Bilaspur (C.G) for the offence punishable under Sections 354, 294, 506, 324 of IPC.
2. As per the prosecution case, on 31.03.2016a report was made by the victim that on 30.03.2016 she went to zoo at Kanan Pendari and while she was coming back with her sister, she wanted to answer the call of nature. At that time, the applicant came there and intercepted her way; caught hold of her hand and assaulted by way of blade on different parts whereby she sustained injuries.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the applicant and victim were in love relations. He further submits that the injuries sustained by the victim are found to be superficial

abrasions which are not grievous in nature. It is also submitted that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 14.06.2016, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the victim and the medical report. The medical report shows that superficial abrasions and an incised wound were caused.
6. Considering the totality of the facts and circumstances of the case especially the fact that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 14.06.2016, 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**