

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7431 of 2016

1. Manan Agrawal, S/o. Mohanlal Agrawal, aged about 28 years, R/o. Bagbahara, Police Station and Tahsil Bagbahara, District – Mahasamund (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : the Police Station : Bagbahara, District – Mahasamund (C.G.)

---- Respondent

For Applicant : Mr. S.C. Verma, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/11/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.207/2016, registered at Police Station – Bagbahara, District – Mahasamund (C.G.) for the offence punishable under Section 307/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 12.10.2016 the complainant Raj Kumar Nayak, the injured and the applicant entered into a dispute and over a dispute, the applicant along-with other co-accused has assaulted the injured by way of screwdriver and plier. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the entire allegations are attributed to Deepak Sahu, who has assaulted the injured by screwdriver and the applicant was only present on the spot and no role has been played by the present applicant. Therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents and statement, wherein entire allegations have been attributed to Deepak Sahu, who caused the assault by way of screwdriver and plier. Taking into the role played by this applicant and considering the facts and circumstances of the case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge