

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

**MCRC No. 7543 of 2016**

- Jai Viru @ Ajay Banjare S/o Narayan Banjare Aged About 35 Years  
R/o Village Nipaniya, Police Station & Tahsil Bilha, District Bilaspur,  
Chhattisgarh

---- **Petitioner**

**Versus**

- State Of Chhattisgarh Through Thana In Charge, Police Station -  
Bilha, Bilaspur, Civil & Revenue District - Bilaspur Chhattisgarh

---- **Respondent**

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For Applicant : Mr. Arun Kochar, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**29-11-2016**

1. This is the first 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 31-10-2016 in connection with Crime No. 295 of 2016, registered at Police Station Bilha, Bilaspur, District Bilaspur (CG) for the offence punishable under Sections 294, 323, 506, 327 of the IPC.
2. Case of the prosecution, in brief, is that on 31-10-2016 complainant Babu Bhaskar was standing near his house along with his niece, at that time present applicant came there and demanded money for liquor and having refused the applicant assaulted the complainant Babu Bhaskar and his niece as a result of which they sustained injuries and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, due to trivial dispute incident happened and the injuries sustained by the complainant and his niece are simple in nature. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 31-10-2016 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, other document and medical report which would show that the injuries were simple in nature.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the nature of injuries and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 31-10-2016, 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