

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7748 of 2016

Sundar Yadav S/o Mohan Yadav Aged About 32 Years R/o Chuna Bhatti, Police Station- Ganj, Tahsil & District- Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: Police Station- Ganj, District Raipur, Chhattisgarh

---- Respondent

For applicant - Ms. Arpana Singh, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/12/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.195/2016 registered in Police Station Ganj, Distt: Raipur (CG) for offence punishable under sections 294, 323, 506-B, 307, 458 of Indian Penal Code and u/s 25, 27 of Arms Act.
2. As per the prosecution case, on 17/07/2016 the complainant Santosh Nishad and Yashwant Nishad were interacting in between them at a loud voice and at that time the applicant alongwith other co-accused came there and objected to it and on having been objected, an altercation started and thereafter co-accused Sheikh Sahrukh assaulted Santosh Nishad by way of a knife and this applicant has assaulted by way of hand and fist and also caused damage to the property.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. She submits that this applicant has only used hand and fist and co-accused Sheikh Sahrukh has been enlarged on bail by this court on 28/11/2016 vide M.Cr.C. No.7525 of 2016, therefore the applicant may be released on bail.

4. Learned State counsel do not dispute the fact that co-accused Sheikh Sahrukh has been enlarged on bail by this court on 28/11/2016 vide M.Cr.C. No.7525 of 2016.

5. Considering the facts and circumstances of the case and also for the fact that co-accused Sheikh Sahrukh has been enlarged on bail by this court on 28/11/2016 vide M.Cr.C. No.7525 of 2016, 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