

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7766 of 2016

- Deepchand @ Gabbar S/o Shri Sohan Lal Badi Aged About 30 Years
R/o Village Toja, Police Station Janakpur, Tehsil Bharatpur, District
Koriya, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police
Station Khadgawan, District Koriya, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Rakesh Pandey, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.12.2016

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. 126/2016 registered at P.S. Khadgawan, Distt. Koriya (C.G) for the offence punishable under Section 307/34 IPC.
2. As per the prosecution case, on account of previous enmity the applicant alongwith co-accused Deo Singh went to complainant Shobhit Singh, thereafter the present applicant and Dev Singh assaulted him by way of arrow which posed danger to the life of complainant, thereby the applicant and other accused have committed offence.
3. Learned counsel for the applicant would submit that no allegations have been attributed to the present applicant and the entire allegations of causing injury is on co-accused Dev Singh and he used bow and arrow, therefore, the applicant has been falsely implicated. He further submits that the applicant is in jail since 21.08.2016 and he may be enlarged

on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of injured Shobhit wherein the entire allegations of causing injury by using bow and arrow are on the other accused. Considering such statement of injured, without any further observation on merits of the case, I am inclined to release the present applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on 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**