

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8187 of 2016

Kanglu Satnami S/o Bahadur Satnami Aged About 50 Years R/o
Village Chamari (Baharpur), Police Station Kotwali, District Mungeli,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station City Kotwali,
District Mungeli, Chhattisgarh.

---- Respondent

For applicant - Shri P.P. Sahu, Advocate.
For Respondent/State – Shri Wasim Miyan, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/12/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.343/2016 registered in Police Station City Kotwali, District Mungeli (CG) for offence punishable under sections 294, 323, 506 & 307 r/w Section 34 of IPC.
2. As per the prosecution case, on 18/07/2016 while the applicant alongwith other co-accused were taking away stone pellets which were meant for construction of road, at that time Mathuradas/injured objected to it and on that issue some altercation took place and co-accused Sumitra Bai alongwith Geeta Prasad caught hold of the injured and Kanglu present applicant assaulted him by way of a spade (kudali).
3. Learned counsel for the applicant submits that charge sheet in this case has been filed and only one injury has been inflicted which is out of sudden scuffle and had there been any intention, there would have been more injuries and the applicant is in jail since 5/08/2016, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of injured Mathuradas and medical report

which shows that only one injury was inflicted. Taking into facts and circumstances, charge sheet has been filed and the applicant is in jail since 5/08/2016, also considering the background of the case and nature of allegation, 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