

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6095 of 2017**

Krishna Kumar @ Ghasiram, S/o. Shankar Kashyap, aged about 45 years,
R/o. Village-Karaihapara, Thana – Ratanpur, Tahsil – Kota, District – Bilaspur
(C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station –
Ratanpur, District – Bilaspur (C.G.).

---- Respondent

For Applicant : Mr. N.K. Malviya, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**10/11/2017**

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.262/2017, registered at Police Station – Ratanpur, District – Bilaspur (C.G.) for the offence punishable under Section 294, 506, 323, 458 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that applicant is innocent and is in jail since 24.08.2017, case is triable by Judicial

Magistrate First Class, applicant is willing to abide by all the conditions imposed for grant of bail, hence it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case, on the date of incident, applicant and the complainant had quarrel between them on account applicant calling her pet for the purpose of feeding them to which, complainant had objected and getting enraged, applicant entered into the house of the complainant and assaulted the complainant by means of rod causing injuries to her. On FIR lodged, case has been registered, investigated and charge sheet has been filed.
6. Considered the submission made and the contents of the case diary. Further considering the facts and circumstances of the case and taking in to consideration the fact that the case is triable by Judicial Magistrate First Class, applicant is in jail since 24.08.2017, he is local resident, his availability can be ensured and keeping the applicant in jail till the conclusion of trial is not going to serve the purpose, 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram