

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 6320 of 2017**

Goutiya Ram S/o Sibar Ram Aged About 53 Years R/o Murka P.S.
Rajpur, District Balrampur, Ramanujganj Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police
Station Rajpur, District Balrampur Ramanujganj Chhattisgarh

----Non-applicant

For Applicant	:	Mr. Jitendra Shrivastava, Advocate
For State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/11/2017**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 30/2017 registered at Police Station Rajpur, District Balrampur-Ramanujganj, Chhattisgarh for the offence punishable under Sections 294 & 307 of I.P.C.
2. The present applicant is in jail since 16.03.2017 in connection with the aforesaid Crime number.
3. The allegation against the present applicant is that the present applicant is said to have assaulted the complainant Dauli, the real brother of the present applicant with a club and caused grievous injuries.
4. Counsel for the applicant submits that the dispute arose on account of the fact that the son of the present applicant is said to have married a girl from a different caste, which was not happily accepted by the complainant and in the course there was an altercation which

arose between the two and the present applicant is said to have assaulted with a club and have assaulted the injured Dauli causing injuries.

5. Counsel for the applicant submits that the nature of injuries are not very serious in nature and the present applicant has already remained in jail for a period of about 8 months and considering the facts of the case, he may be released on bail.
6. The State counsel however opposes the bail application pointing out the injury, which is on the forehead and also the fact that the injury being on the vital part of the body, the offence under Section 307 of I.P.C. has been rightly put and prayed for the rejection of the bail application.
7. Having heard the counsel for the parties, considering the period of custody undergone and the fact that the applicant and injured are real brothers and also taking note of the nature of the injuries, this Court is of the opinion that prima facie a fit case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail is allowed.
8. 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 Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge