

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 101 of 2017

Sikandar Bhuihar @ Guddu S/o Shyamnandan Bhuihar Aged About 28 Years R/o Idrikala Police Station Chando, District Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Chando, District Balrampur- Ramanujanj, Chhattisgarh.

---- Respondent

For applicant - Shri C. Jayant K. Rao, Advocate.
For Respondent/State –Shri U.K.S. Chandel, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.35/2016 registered in Police Station Chando, District Balrampur-Ramanujanj (C.G.) for offence punishable under sections 353, 307, 323, 427 & 379 of Indian Penal Code.
2. As per the prosecution case, on 20/10/2016 the applicant was carrying wooden door frame in his motor. He was stopped near Karcha barrier by the forest guard while guards were checking goods, the applicant all of a sudden by breaking open the barrier tried to fled away which resulted into injury to one Anil Tirkey the forest guard and by injury zygomatic bone was fractured. Subsequently, the applicant was arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. The door frame belong to the applicant and he was stopped at the barrier and the forest guards demanded money

which was refused. Therefore, the applicant when went away, no case was registered under the forest act which would show that the goods belong to the applicant, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents as also the memorandum statement. Considering the facts and circumstances of the case, nature of injury and in the background of the case the way it has happened and charge sheet has been filed, no further investigation would be necessary, 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