

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 155 of 2017

Ajay Rajput, S/o. Ashok Thakur, Aged About 25 Years, R/o. Ward No. 11,
Dabrapara Bagbahara, Police Station & Tahsil- Bagbahara, Civil &
Revenue District- Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- The Station House Officer, Police Station-
Bagbahara, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sumit Shrivastava, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.207/2016 registered at Police Station- Bagbahara, District Mahasamund (C.G.) for the offence punishable under Section 307/34 of Indian Penal Code.
2. As per the prosecution case, on 12.10.2016 the complainant Raj Kumar Nayak, the injured entered into a dispute with the applicant and other co-accused and thereby one of the co-accused assaulted by way of screwdriver and plier. Thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the main allegation of assault is attributed to one Deepak Sahu and the present applicant was only present on the spot. He further submits that the other co-accused Manan Agrawal has been enlarged on

bail by this Court on 24.11.2016 in MCRC No.7431 and the case of the present applicant is similar, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Taking into the role played by the applicant and further considering the fact that the similarly placed co-accused has already been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge