

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 449 of 2017

- Irfan Khan (wrongly mention as Imran Khan) S/o Shri Imran Khan,
Aged About 25 Years R/o Village Chhuna Bhatti, Ward No.21 Thana
Ganj District Raipur Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Police Station Ganj District Raipur
Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Akhilesh Kumar, Advocate.
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.02.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 336/2016 registered at Police Station Ganj, Distt. Raipur (C.G) for the offence punishable under Sections 294, 506-B, 323, 327 read with section 34 of IPC.
2. As per the prosecution case, on 14.11.2016 Irfan Khan the present applicant and others demanded money from injured Harish Tiwari for consuming liquor. Having refused, they entered into altercation thereafter the complainant was assaulted by way of rod and the accused also kicked on his ribs and threw him on the ground. When the mother of complainant tried to intervene, she was also abused and assaulted.
3. Learned counsel for the applicant would submit that an old dispute was existing between the parties, therefore, false allegations have been made against him. He further submits

that the charge sheet has been filed; no further investigation is necessary and the injuries sustained by the complainant are also not fatal, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents. Considering the statement and medical report which shows that neither any fracture nor any serious injury was caused as also the fact that the charge sheet has been filed and the applicant is in jail since 09.12.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**