

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 509 of 2017**

Khilanand @ Khilendra @ Labhali (Wrongly Mentioned As Lagali In Order Sheet) S/o Nohar Verma Aged About 18 Years , R/o Siltara, Post Dharsiwa, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Dharsiwa, District Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Vimlesh Bajpai, Advocate.
For Respondent/State –Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****6/02/2017**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.399/2016 registered in Police Station Dharsiwa, District Raipur (C.G.) for offence punishable under sections 394, 397, 324 of Indian Penal Code and Section 25, 27 of the Arms Act.
2. As per the prosecution case, a report was made by Teerath Ram Verma that on 29/10/2016 while they were coming from Siltara to Mandhar while walking on foot, they were stopped by the accused Nandlal Sahu, Kedar @ Sitaram Vishvakarma and the present applicant and they demanded money. Thereafter, Nandlal had assaulted by way of knife on the private part of the complainant, Somdutt has been assaulted on chest and Saurav Gupta was assaulted on thigh and Rs.150/-, one Samsung mobile and Aadhar Card were looted.
3. Learned counsel for the applicant submits that main allegation of

assault by knife is attributed to Nandlal and only Rs.60/-, Aadhar Card and mobile was seized from the applicant and he has not made any assault and other co-accused Sitaram Vishvakarma @ Kedar has been enlarged on bail on 17/01/2017 vide M.Cr.C. No.31 of 2017, therefore the applicant may be released on bail.

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

5. Considering the facts and circumstances of the case, nature of allegation against the applicant and main allegation of assault appears to have been against Nandlal Sahu, 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