

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1339 of 2017

- Balad S/o Paharu Yadav, Aged About 28 Years R/o Village Jarve,
Police Station Palari, District (Revenue & Civil) Balodabazar
Bhatapara Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Police Station Pallari, District (Revenue
& Civil) Balodabazar Bhatapara Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Sumit Jhawar, Advocate
For the Respondent	:	Mr. Ashok Swarnkar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.03.2017

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. 455/2016 registered at Police Station Palari, Distt. Balodabazar-Bhatapara (C.G) for the offence punishable under Sections 147, 148, 149 & 307 of IPC.
2. As per the prosecution case, a report was made by one Nutan Verma that on 31.10.2016 the applicant along-with Mukesh, Badru, Baldau & Balram over a dispute of opening a water tap assaulted the complainant Nutan, Durgesh, Neelkant, Ramji and Manish Verma and the applicant had given a blow to Ramji by way of club which was enough to cause death.
3. Learned counsel for the applicant would submit that over a trivial dispute, the quarrel took place and the nature of injury was not grievous and both the parties sustained injuries and there was no intention to kill. He further submits that the

charge sheet has been filed and the applicant is in jail since 23.12.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statements of witnesses.
6. Considering the background of the dispute and the injury report/MLC as also the fact that the charge sheet has been filed and the applicant is in jail since 23.12.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on 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 for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**