

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3423 of 2017

- Krishna Bahadur @ Krishna Nepali S/o Karna Bahadur Aged About 28 Years R/o Buniyadi Nagar, Bhanpuri, Police Station Khamtarai, District Raipur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Shri Vimlesh Bajpai, Advocate
For Respondents/State	:	Shri Surya Kant Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/06/2017

1. The present applicant is in jail since 11.03.2017 in connection with Crime No. 125/2017 registered at Police Station Khamtarai, Dist. Raipur (C.G.), for the commission of offence punishable under Sections 294, 506, 327/34 of the I.P.C.
2. Case of the prosecution, in brief, is that the applicant is said to have assaulted the complainant Rajkumar Miri on 28.02.2017 when the complainant is said to have refused to give money for consumption of liquor between themselves.
3. Learned counsel for the applicant submits that the applicant is already remained under custody for more than 3 months and that except the offence under Section 327 of the I.P.C., all the other offences are bailable offences.

4. The State Counsel, however, opposes the bail application and submits that there are many cases registered against the present applicant.

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the total facts and circumstances of the case, particularly, the nature of the offence and also the period of custody undergone by the applicant, this Court is of the opinion that it is a fit case for grant of bail.

7. Accordingly, the present bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that in case if the applicant furnishes a personal for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, then he shall be released on bail. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(P. Sam Koshy)
V. Judge