

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 5004 OF 2017

Rinku @ Ritesh Das Manikpuri, S/o Agardas (Amardas) Manikpuri, aged about 26 years, R/o Village Doli Kunwa, Ramnagar, Police Station Gudhiyari, District Raipur (C.G.)

... Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station-Gudhiyari, District Raipur (C.G.)

... Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23/11/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 11.5.2017 in connection with Crime No. 127/2017 registered at Police Station-Gudhiyari, Raipur, District Raipur, for the offence punishable under Sections 294, 506-B, 323, 327, 329 of IPC.
2. As per the prosecution, allegation against the Applicant is that the Applicant when was refused money for consuming liquor he is said to have thrown a stick on his neighbour Satyavan Sahu but the stick instead hit a minor girl, Ms. Payal, aged around 8 years, who sustained injuries on her head.
3. Learned Counsel for the Applicant submits that the Applicant never intended to attack or assault the injured and it was an accidental injury which Ms. Payal has suffered and that the Applicant has already remained in custody for about more than 5 months and thus prayed for grant of bail to the Applicant.
4. Learned Counsel for the State however opposes the bail application.

5. Considering the contentions put forth by the learned Counsel for the Applicant and which are not disputed by the learned State Counsel on perusal of the case diary, and also considering the nature of the incident and the period of custody undergone by the Applicant, this Court is of the opinion that prima facie a strong case is made out for grant of bail to the Applicant.

6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge