

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6101 of 2017

- Anil Kumar Sahu S/o Shivbahoran, Aged About 27 Years, R/o Village Barampur, Police Station Khadgawa, Tahsil Khadgawa, District Korea Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police of Police Station Khadgawa, District Korea Chhattisgarh.

---- Non-applicant

For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-11-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for grant of regular bail. The applicant has been arrested on 18-06-2017 in connection with Crime No.65/2017 registered at P.S. Khadgawa, District Korea, C.G. for the offence under Section 294, 506, 323, 307, 182, 201 read with Section 34, 120(B) of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 18-06-2017. In this case injuries caused to complainant Sunil Kumar are simple in nature. The report given by the doctor that the injuries could have been fatal are totally baseless. The case has been investigated and charge sheet has been filed. Hence, in these circumstances, it is prayed that the applicant may be enlarged on bail.

3. Learned counsel for the State/non-applicant opposes the bail application and submission and submits that subsequent to medical examination of the complainant, on query the doctor has opined that the injuries caused to the complainant could have been fatal, had he not been provided with treatment in

time. Hence, the applicant is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.

5. As per the case against the applicant, the applicant and two others assaulted complainant Sunil Kumar causing him various injuries with the help of using lever and rod and on the basis of the FIR lodged by Shivbahoran Sahu, father of the complainant, the case has been investigated and charge sheet has been filed.

6. Considering the submissions made and the contents of the case diary, and considering the medical of the complainant in particularly, I am of this opinion that this is a fit case where the applicant should be enlarged on bail.

7. Consequently, the application (MCRC No.6101/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge