

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 6294 OF 2017

1. Sonauram Shori, S/o Ayatu Ram Shori, aged about 56 years
 2. Dubaru Ram Shori, S/o Ayatu Ram Shori, aged about 40 years
- Both are R/o Village Guhabornd, P.S. Farasgaon, District Kondagaon (C.G.)

... Applicants

Versus

State of Chhattisgarh, through the Police Station- Farasgaon, District Kondagaon (C.G.)

... Respondent

For Applicants	:	Mr. P.K. Tulsyan, Advocate.
For Respondent-State	:	Mr. Gary Mukhopadhyay, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/11/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicants who are in jail since 29.6.2017 in connection with Crime No.60/2017 registered at Police Station- Farasgaon, District Kondagaon, for the offence punishable under Sections 307, 452, 34 of IPC.
2. Allegation against the Applicants as per the prosecution is that Applicants is said to have assaulted one Rajesh Shori, as a result of which Rajesh Shori received one injury on the parietal region.
3. Learned Counsel for the Applicants submits that it is a case where the Applicants and the injured Rajesh Shori are closely related and that it was an altercation within the family which led to the assault being made. According to the learned Counsel for the Applicant, it is a case where the injured Rajesh Shori was having an altercation with his father-Dhannuram and the present Applicants, who are brothers of Dhannuram, intervened and assaulted the injured Rajesh Shori.

4. Learned Counsel for the State however opposing the bail application submits that nature of the injury made was on the vital part of the body and the injury was caused with a deadly weapon and therefore the Applicant does not deserve to be released on bail.

5. Considering the nature of dispute which gave rise to the assault and the fact that the Applicants are all closely related with the injured and also taking note of the fact that it was only one injury which has been caused and also taking into consideration the fact that the Applicants have already remained in jail for a period of around 5 months, this Court is of the opinion that prima facie a strong case is made out for grant of bail to the Applicants.

6. Accordingly, the application for grant of bail is allowed. It is ordered that the Applicants shall be released on bail on each of them 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 their appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge