

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7890 of 2016

Pawan Banjara, S/o. Fattesingh Banjara, aged about 22 years, R/o. Village-
Kudumkela, P.S. & Tahsil – Gharghoda, District – Raigarh (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : Station House Officer, Police Station –
Gharghoda, District – Raigarh (C.G.)

---- Respondent

For Applicant	:	Mr. Awadh Tripathi, Advocate
For Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.351/2016, registered at Police Station- Gharghoda, District – Raigarh (C.G.) for the offence punishable under Section 294, 506, 452, 427, 323, 394 of Indian Penal Code.
2. Case of the prosecution in brief is that on 16.11.2016 a report was made by one Pradip Kumar Dongare alleging that on 15.11.2016, the applicant and complainant entered into a dispute over supply of Guthaka, which resulted into an altercation and Marpit and the applicant has assaulted the complainant by way of club. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that on trivial issue, the incident happened and nature of injury is simple in nature. It is further submitted that the applicant is in jail since 16.11.2016 and no further investigation is required, therefore, the applicant may be enlarged on bail.

4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the nature of injury, which appears to be simple in nature, charge-sheet in this case has been filed and the applicant is in jail since 16.11.2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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 in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge