

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 82 of 2017**

Bharat Chauhan, S/o. Kalyan Chauhan, Aged About 23 Years, R/o. Lakholi, Thana- Kotwali, District Rajnandgaon, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Police Station- Kotwali, District Rajnandgaon, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Samir Singh, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**17/01/2017**

1. This is the second 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.744/2016 registered at Police Station- Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Sections 294, 327, 329 of Indian Penal Code.
2. As per the prosecution case, on 02.11.2016 the complainant Dinesh Sahu while was walking on the road, the applicant came to him and demanded money for drinking and having refused, he was abused and assaulted by fists and belt whereby he sustained multiple injuries.
3. Learned counsel for the applicant would submit that this is the second bail application, the earlier bail application was dismissed on 19.12.2016 with liberty to repeat the same after charge sheet is filed. He further submits now the charge sheet has been filed and no further investigation is necessary and the applicant is in jail

since 02.11.2016, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, statement of the victim and also the injury report. Considering the facts and circumstances and the fact that the charge sheet has been filed and the applicant is in jail since 02.11.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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.

Sd/-  
**(Goutam Bhaduri)**  
Judge