

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 659 of 2018

- Rajra @ Rajhara Tandi S/o Purushottam Tandi, Aged About 19 Years, R/o Raipur Naka, Near Church, Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg, District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Mr. B.P. Singh, Advocate.

For Non-applicant/State – Ms. K. Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-03-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 24-10-2017 in connection with Crime No.799/2017 registered at P.S. - Padamnabhpur, Durg, Distt. Durg, Chhattisgarh for the offence under Section 341, 294, 506-B, 323, 327, 325, 34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is of tender age. No case is made out against him. According to the prosecution, the victim in this case has been assaulted by main accused Pratap. The applicant is in custody since 24-10-2017. Charge sheet has been filed after completion of the investigation. Hence, it is prayed that he may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application.

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

5. On the date of incident when complainant/victim Krishna Ram was on his way to home, he was stopped by this applicant and two others and all of

them asked the complainant to give money for buying liquor. When the complainant refused for the same, he was abused, threatened and assaulted by all of them. Accused Pratap assaulted the complainant with a club causing him injuries and he suffered bony injury which was the injury of grievous nature. After lodging of the FIR, the case has been registered against this applicant and two others.

6. Considered on the submissions made and contents of the case diary.

7. Looking to the facts that the allegation against this applicant is this, that he assaulted the complainant with hands and fists, secondly, this applicant is of age only 19 years and thirdly the case is before the trial Court and detention of the applicant till conclusion of the trial would not serve any purpose, hence, I am of this view that the applicant should be released on bail during conclusion of the trial against him.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail 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.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge