

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MISC. CRIMINAL CASE NO. 395 OF 2018**

Amit Patel S/o Late Shri Netram Patel, Aged About 26 Years R/o Near Pipe Factory, New Shanti Nagar, P S- Civil Lines, District Raipur Chhattisgarh.

**... Applicant**

**Versus**

The State Of Chhattisgarh Through P. S.- Ganj, Raipur Chhattisgarh.

**... Respondent**

---

|                      |   |                                |
|----------------------|---|--------------------------------|
| For Applicant        | : | Shri LK Mishra, Advocate.      |
| For Respondent-State | : | Ms. Sunita Jain, Panel Lawyer. |

---

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**26/03/2018**

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 26.10.2017 in connection with Crime No.389 of 2017 registered at Police Station Ganj, Distt.Raipur for the offence punishable under Section 307 IPC.
2. As per prosecution case, the applicant on the night of 23.10.2017 is said to have assaulted the injured complainant Gopal Dhruw with a bottle and has inflicted three injuries.
3. Learned Counsel for the applicant submits that the complainant in the instant case Gopal Dhruw himself has been examined on 19.02.2018 before the trial court and he has not supported the case of the prosecution and has turned hostile. The deposition of the complainant is already brought on record by the applicant by a separate application.
4. This submission of the applicant is not opposed by the State counsel.

5. Without commenting on merits, considering the totality of the facts and circumstances of the case particularly taking note of the fact that the complainant himself has not supported the case of the prosecution and has turned hostile, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

**Sd/-**  
**(P. Sam Koshy)**  
**Judge**