

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 343 of 2018**

- Kapil Solanki S/o Shri Jayram Solanki, Aged About 27 Years R/o. Gujrati Para, Raigarh, At Present R/o Sanjay Maidaan, Rambhata, Raigarh Tahsil Raigarh, District Raigarh Chhattisgarh

----Applicant**Versus**

- State of Chhattisgarh Through, S.H.O. Of The Police Station- City Kotwali, Raigarh Chhattisgarh

---- Respondent

For Applicant	:	Shri Abhishek Saraf, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****26/03/2018**

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 on 30.08.2017 in connection with Crime No. 457/2017 registered at Police Station City Kotwali, District – Raigarh (CG) for the offence punishable under Sections 307, 506, 327, 201/34 of the I.P.C. and Sections 25 & 27 of the Arms Act.
2. As per the prosecution case, the applicant along with the other two co-accused on 05.08.2017 demanded money from the complainant Atal @ Anubhav Mishra, having refused the same, he was assaulted by hand & fists and by knife. As such the offence has been committed.
3. Learned counsel for the applicant submits that on a trivial issue the report has been made and there was no intention to kill in the mind of the

applicant. He would further submit that the applicant is in jail since 30.08.2017 and the charge-sheet in this case has been filed and no further investigation is required, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the complainant. Considering the same and also taking into the nature of injury as only one fracture of the finger is reported. Further considering the period of detention as the applicant is in jail since 30.08.2017 and the charge-sheet in this case has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu