

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 766 of 2018

Narendra Sona S/o Sidesh Sona, aged about 20 years, R/o Behind Marin Drive, Jalvihar Colony, Post Office- Raipur, Police Station- Telibandha, Raipur, Tahsil & District- Raipur (C.G).

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station- Mujgahan, District- Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. Shivendu Pandaya, Advocate
For Respondent	:	Mr. R.K. Jaiswal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

26/03/2018

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 195/2017, registered at Police Station- Mujgahan, District- Raipur (C.G.) for the offence punishable under Sections 307/34 of the IPC.
3. Case of the prosecution is that on 02/09/2017 at about 8:30 am, the applicant along with other accused persons assaulted the injured Gopichand Sendre by knife and then ran away from the spot. As a result of assault, Gopichand sustained injuries. The report was lodged by Narendra Kumar Sendre. The police has registered the offence

under the aforementioned sections.

4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case, he is in custody since 06/09/2017 and the trial will likely to take some time to conclude. He further submit that due to family dispute and enmity, false case is made out, the injuries sustained by Gopichand is not of grievous nature, therefore, offence under Section 307 is not made out against him.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application and submitted that Gopichand has sustained five injuries on his vital part of the body and sufficient evidence is available on record, therefore, the applicant is not entitle for bail.
6. I have heard learned counsel for both the parties.
7. Considering the facts and circumstances of the case, particularly considering that charge-sheet has already been filed, the applicant is in custody since 06/09/2017 and the trial will likely to take some time to conclude, without further commenting on merit of the case, this court is inclined to release the applicant on bail.
8. Accordingly, MCRC. No.766/2018 is allowed. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
Judge
Arvind Singh Chandel