

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1786 of 2018

- Sagar Thakur S/o Ramesh Thakur Aged About 22 Years R/o Village, Dongariya, Tahsil And District Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Nandini Nagar, Civil And Revenue District Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri S. K. Agrawal, Advocate.
For the Respondent/State	:	Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30.04.2018

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 in connection with Crime No.325/2017 registered at Police Station – Nandini Nagar, District – Durg, (C.G), for the offences under Section 294, 506 (B), 323, 324, 326/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 16.12.2017. No case is made out against him according to the prosecution case. Similarly, placed the co-accused persons have been granted bail by this Court, hence, he is also entitled for grant of bail.

3. Learned counsel for the State opposes the bail application and submits that one razor blade has been seized from the possession of this applicant, hence, no case is made out for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. As per the case of the prosecution on the date of incident, this applicant along-with the co-accused persons was present in the marriage ceremony from the side of bride he had some dispute with members of procession of bridegroom, because of which, some altercation took place. It is alleged that this applicant along-with co-accused persons used abusive words, threatened and then assaulted the victim with hands, fists and some sharp object causing injuries of incised wound to Akash, Mahesh and Yashwant.
6. According to the contents of the case diary, the counter FIR has also been lodged against the complainant party.
7. Considered on the submission made and contents of the case diary. On perusal of the statement of the witnesses, it is not clear that who has caused the injury with sharp object. Apart from that, the co-accused persons have been granted bail by this court, hence, I am of the view that this applicant is also entitled for grant of bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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 /-

(Rajendra Chandra Singh Samant)
Judge