

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.2386 of 2018**

Dinesh Baghel, S/o Rajman Baghel, aged about 28 years, resident of Village Betbeda Golawand, P.S. Kondagaon, District Kondagaon, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through the Police Station Kondagaon, District Kondagaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Pravin Kumar Tulsyan, Advocate
For Respondent	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****2.5.2018**

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.174 of 2017 registered at Police Station Kondagaon, District Kondagaon for offence punishable under Section 307 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 1.8.2017 at about 2:00 – 3:00 p.m., a dispute arose between the Applicant and his brother Urgu Baghel for doing some work. It is alleged that on this issue, the Applicant assaulted Urgu Baghel by a Tangiya on the head. The matter was reported with police. The police registered the offence under Section 307 of the Indian Penal Code against the Applicant and he has been arrested on 28.10.2017.
3. Learned Counsel appearing for the Applicant submits that the Applicant and victim Urgu Baghel are real brothers. Only a single

blow was given to the victim. The injury suffered by him was simple in nature. The victim/injured was discharged from the hospital on the day of admission itself. There is possibility of compromise between them. Charge-sheet has been filed. The Applicant is in custody since 28.10.2017.

4. Learned Counsel appearing for the Respondent/State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
6. Taking into consideration the facts and circumstances of the case, particularly, that the Applicant and the victim are real brothers, the injury suffered by the victim was simple in nature and the Applicant is in custody since 28.10.2017, I am inclined to enlarge him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.10,000/- with one solvent surety in the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE