

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2519 of 2018

Basant Kumar Dewangan, S/o. Nilkanth, Aged About 45 Years, R/o-
Jaijaipur, Police Station & Tahsil Jaijaipur, District- Janjgir-Champa,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station- Jaijaipur,
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Mirza Keshar Beg, Advocate

For Respondent : Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.05.2018

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.34/2018 registered at Police Station- Jaijaipur, District Janjgir-Champa (C.G.) for the offence punishable under Sections 294, 506(B), 323, 326 of Indian Penal Code.
2. As per the prosecution case, a report was made by one Kamlesh Kumar that on 29.01.2018 over a family dispute, the applicant has assaulted him by fist & hand and thereafter has given a bite on the little finger.
3. Learned counsel for the applicant submits that only on a trivial issue, the incident happened and the nature of injury was not fatal. He further submits that the applicant is uncle of the injured, the charge sheet has been filed and no further investigation is necessary; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents. Taking into the background of this case and considering the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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/-
(Goutam Bhaduri)
Judge