

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3198 of 2018**

- Md. Aju @ Ezaz Khan S/o Md. Elias Khan Aged About 20 Years R/o - Pathan Para , Kharsia , Ward No. 4, P/s And Tahsil - Kharsia District Raigarh Chhattisgarh (Details Not Mentioned In The Order)

----Applicant**Versus**

- State of Chhattisgarh Through, S H O of The Police Station - Kharsia , District Raigarh Chhattisgarh

---- Respondent

For Applicant	:	Shri Abhishek Saraf, Advocate
For Respondent/State	:	Shri Wasim Miyan, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27/06/2018**

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 17.04.2018 in connection with Crime No.215/2018 registered at Police Station Kharsia, District – Raigarh (CG) for the offence punishable under Sections 294, 323, 506, 427, 327/34 IPC.
2. As per the prosecution case, a report was made by the complainant that the applicant along with the other co-accused demanded money from the complainant to consume liquor and having not been paid, the complainant was assaulted by hand and fists. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant and the complainant both are auto rickshaw driver and a trivial incident happened which has been exaggerated. He further submits that the charge-sheet has

been filed in this case and the applicant is in jail since 17.04.2018, 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 documents. Considering the entire facts & circumstances of the case and also taking into the nature of injury which are simple in nature and further considering that the applicant is in jail since 17.04.2018, 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