

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 3426 OF 2018

Pawan Kumar Kushwaha S/o Ram Khilawan Kushwaha, aged 33 years,
R/o Ghuri Ameri, PS Civil Lines, Bilaspur (CG).

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Civil Lines, Bilaspur,
Distt. Bilaspur (CG).

... Respondent

For Applicant	:	Shri Ajay Ayachi, Advocate.
For Respondent-State	:	Shri Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/07/2018

1. This is the first application seeking for grant of bail to the Applicant who is in jail since 09.04.2018 in connection with Crime No. 390 of 2017 registered at Police Station City Kotwali, Bilaspur, for the offence punishable under Sections 294,506,452,427 and 448/34 IPC.
2. As per prosecution case, the applicant is said to have entered into the house of the complainant and is said to have assaulted him causing injuries.
3. Learned Counsel for the applicant submits that the applicant has been falsely implicated in the case as there is some land dispute between the parties and civil suit also pending consideration before the trial court. Therefore, the applicant be released on bail.
4. The State counsel however opposes the bail application.
5. Without commenting on merits, considering the totality of the facts and circumstances of the case particularly taking note of the fact that

there is a property dispute between the parties and civil suit is also pending consideration before the trial court, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge