

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3921 of 2018**

- Sunder Raj Singh Gond S/o Phool Singh, Aged About 36 Years
R/o Gram Bakshra Amlibhata, District Janjgir Champa
Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Thana Punjipathra, District
Raigarh Chhattisgarh.

---- Respondent

For Applicant	: Shri Mateen Siddique, Advocate
For respondent/State	: Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****27.6.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 16.5.2018 in connection with Crime No.55/2010, registered at Police Station Punjipathra District-Raigarh (CG) for the offence punishable under Section 307 of the Indian Penal Code.

2. Case of the prosecution is that present applicant along with 3-4 other persons attacked complainant Santosh Pandey and assaulted him with stick.

3. Learned counsel for the applicant submits that even accepting the medical report, no offence under Section 307 IPC is made out. The applicant is a Shiksha Karmi, he is in jail since

16.5.2018, there is no likelihood of his absconding, therefore, he may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for the parties and perused the case diary.

6. Looking to the above facts and circumstances of the case, particularly looking to the opinion of the medical expert, without further commenting on the merits of the case, I am inclined to allow the application.

7. Accordingly, application filed under Section 439 of the CrPC is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Sd/-

(Ram Prasanna Sharma)

JUDGE