

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3960 of 2018

Sukhdev @ Sukhdev S/o. Late Baliram, aged about 45 years R/o Village Dhaniyaloor, P.S. Parpa, District- Bastar (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Police Station- Parpa, District- Bastar (C.G.).

---- Respondent

For Applicant	:	Mr. Praveen Kumar Tulwiyar, Advocate
For Respondent	:	Mr Ramkant Pandey, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

10/07/2018

1. The applicant has preferred this first bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 53/2018 registered at Police Station- Parpa, District- Bastar (C.G.) for the offence punishable under Section 307 of IPC.
2. As per prosecution story on 31/03/2018 at about 11:00 am, complainant- Jankiram and the present applicant had a quarrel for an old land dispute and in the heat of quarrel, the present applicant assaulted the complainant by a Danda on his head. A report to this effect was lodged by Mahawar. On the basis of said report, offence was registered and the applicant was arrested on 31/03/2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. Prima-facie no offence under Section 307 is made out. He

further submits that the applicant is in custody since 31/03/2018 and charge-sheet has been filed, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and the evidence collected by the prosecution particularly that no grievous injury has been found on any vital part of the body of the complainant, charge-sheet has already been filed and the applicant is in custody since 31/03/2018, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like sum to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
Judge
Arvind Singh Chandel