

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4328 of 2018

- Krishna Harpal @ Kocha @ Pappu S/o Kamraj Harpal, Aged About 53 Years, R/o Sec - 4 , Street 21 Qtr. No. 7B, Bhilai, Police Station Bhilai -Bhatti, Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Mr. Amiyakant Tiwari, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 01-11-2017 in connection with Crime No.168/2017 registered at P.S. - Bhilai-Bhatti, District- Durg, Chhattisgarh for the offence under Section 294, 506B, 323, 307/34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 01-11-2017. No offence is made out against him. The main accused in this case has been granted bail. Hence, it is prayed that the applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, complainant Kamlesh Deshlahre was assaulted by main accused S. Anand with a knife causing him injury. The allegation against this applicant is this, that he thrashed the complainant with hands and fists. Hence, this case.
6. Considering on the entire material present in the case diary and looking

to this fact that co-accused has been granted bail by this Court, I am of this view that this applicant also deserves to be granted regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby 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 surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge