

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4353 of 2018**

Devnarayan Patel S/o Shri S.K. Patel Aged About 30 Years R/o-  
Behind Sub Area Bunglow, Ompur Chowki, Rajgamar Police  
Station- Balconagar, District- Korba, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through- Police Station- S.C. And S.T.  
Korba, District- Korba, Chhattisgarh.

**---- Respondent**

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For applicant - Shri Ashutosh Shukla, Advocate.  
For Respondent/State –Shri S.R.J. Jaiswal, PL.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**03/07/2018**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.17/2018 registered in Police Station -Police Station S.T. & S.C. District Korba (C.G.) for offence punishable under sections 307/34 of IPC & 3(2)(5) of S.C. and S.T. Act.
2. As per the prosecution case, on 22/04/2018 one complaint was made by Sangeeta Chouhan daughter-in-law of the injured Radhelal Chouhan that the applicant and others entered into dispute with his father-in-law and thereafter has assaulted by way of club and axe on the head of Radhelal which was enough to cause death.
3. Learned counsel for the applicant submits that the incident happened in front of the house of the applicant and when complainant came after consuming liquor started abusing the family members and the applicant having opposed the dispute aggravated and during such time the incident happened as each of the complainant and the applicant has assaulted each other for which initial report was made by the applicant. He submits that against complainant Radhelal Chouhan different cases

are registered including case of murder and rape and the applicant has committed the act in his self defence, there was no intention to kill, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and also perused the statement of Padum Chouhan. It appears that investigation is almost complete, applicant is in jail since 22/04/2018, therefore this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE