

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5062 of 2018

- Kunwar Say (Kunwar Say Singh @ Tengana) S/o Shri Thibhu Aged About 60 Years, R/o Village Bartikra, P.S. Darima, Tahsil Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Darima, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

----Non-applicant

For Applicant – Shri Sunil Tripathi, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-08-2018

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 03-12-2017 in connection with Crime No.117/2017 registered at P.S. - Darima, District Surguja, Chhattisgarh for the offence under Section 294, 506B, 323, 326, 307 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 03-12-2017. No case is made out against the applicant under Section 307 or Section 326 of the IPC. Hence, it is prayed that the applicant may 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. The case against the applicant is this, that on the date of incident because of the dispute regarding construction of the house it is alleged that this applicant assaulted injured Udham with a rod causing grievous injuries to him.

6. In the investigation and medical examination fracture of upper orbit of the eye and partial region was found and there is no fatal or grievous injury caused to the injured. Hence, for these reasons, I feel inclined to grant regular bail to this applicant.

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