

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5141 of 2018

- Jai Kumar Khunte S/o Shri Jhabbu Ram Khunte Aged About 34 Years
R/o Village- Godkhamhi, Polie Station and Tahsil-Lormi, Civil And
Revenue District- Mungeli, Chhattisgarh.....(In Jail), District : Mungeli,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station- Lalpur, Civil And Revenue District- Mungeli, Chhattisgarh.,
District : Mungeli, Chhattisgarh

---- Respondent

For Applicant : Mr. Paras Mani Shriwas, Advocate.

For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/08/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.92/2018 registered at Police Station– Lalpur District– Mungeli(C.G.) for the offence punishable under Sections 452, 147, 148, 149, 427, 354 & 323 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 23.6.2018. No case is made out against him. Hence, it is prayed that

he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant appears to be main assailant in this case, hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. The case against this applicant is this, that on 22.6.2018 because of some dispute this applicant along with co-accused persons formed an unlawful assembly and then forcefully entered into the house of the complainant Prakash Yadav and than assaulted the inmates of the house with clubs and sharp edged weapons causing simple injuries to about 9 persons and the woman in the house who came in between, there modesty were also outraged by them. Hence, this case.
6. Considered on all the material present in the case diary, there is no requirement of any custodial interrogation of the applicant for the purpose of any investigation pending. Hence, I am of this view that this is a fit case where the application filed by the applicant is deserves to be allowed.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge