

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5508 of 2018

- Sushil Kumar Patle, S/o Shri Bhikham Patle, aged about 18 years, R/o Ward No. 01, Dhuripara, Mangla, Police Station – Civil Line, Tahsil and District Bilaspur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer, Police Station, Civil Line – Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Devesh Chandra Verma, Advocate.
For Respondent/State	: Shri Vaibhav Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No. 653/2018, registered at Police Station Civil Lines, Bilaspur, District – Bilaspur (C.G.) for the offence punishable under Sections 294, 323, 324 and 506 of the IPC and Section 25 and 27 of the Arms Act.
2. As per the prosecution story, it is alleged that on 13.07.2018, due to previous enmity between the parties, applicant has assaulted the complainant Anuj Ram Bareth and his wife Janki Bareth and caused injuries to both of them. At that time he was laced with sword and air gun. On the basis of that a report was lodged and offence has been registered against the applicant and during the course of investigation one sword and air gun has been seized from the possession of the applicant/accused and he was arrested on 14.07.2018.

3. Shri Devesh Chandra Verma, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that the applicant had love affair with the daughter of the complainant and family of the complainant themselves attacked and assaulted applicant and looted his mobile phone and due to which he sustained injuries. He further submits that offence is triable by JMFC and the applicant is in custody since 14-07-2018 and trial will likely to take some more time, therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and further considering the fact that the applicant is in custody since 14-07-2018 charge sheet has not been filed yet, therefore, trial will likely to take some time, 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 amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge