

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5660 of 2018

Hazarilal Sonwani S/o Shri Ramprasad Sonwani, aged about 32 years R/o Village- Belgahna Police Station & Tahsil- Kota, District- Bilaspur (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through- Police Station, Masturi, Distt. Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. Dheerendra Pandey, Advocate
For Respondent	:	Mr. Bhaskar Payashi, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

10/10/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 45/2018 registered at Police Station- Masturi, Distt. Bilaspur (C.G.) for the offence punishable under Section 307, 34 of the IPC.
2. As per prosecution story, complainant- Teras Bai is wife of the applicant. It is alleged that on 09/02/2018 due to some quarrel, the applicant assaulted Teras Bai, wife of the applicant who sustained injury on her head. The matter was reported by her and the applicant has been taken into custody on 04/07/2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that only single blow has been caused, therefore, prima-facie no offence under Section 307 IPC is made out

against the applicant. He further submits that charge-sheet has been filed, the applicant is in custody since 04/07/2018 and the trial will likely to take some time, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 04/07/2018, charge-sheet has already been filed and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed.
7. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge