

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6669 of 2018

- Karmu Das S/o Late Somaru Das Aged About 55 Years Caste Gosai, R/o Village Ghatmunda, Thana- Narayanpur, District - Jashpur, Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. - Narayanpur, District - Jashpur, Chhattisgarh.,

---- Respondent

For Applicant	: Shri Manoj Chouhan, Advocate
For Respondent/State	: Shri Ashutosh Pandey, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/10/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 36/2018 registered at police station Narayanpur District Jashpur (CG) for the offence punishable under Sections 307, 147/120- B & 34 IPC.

As per prosecution case, report was lodged by the complainant that as there was some land dispute between the family members, some quarrel took place between them in connection with ploughing of the field and the accused/applicant along with other persons assaulted Beharu Giri, Basant Giri, Bhagwat Girti, Amit Giri and Gita Giri with axe and club as a result of which they suffered simple and grievous injuries.

Counsel for the applicant submits that the applicant has been falsely implicated and that the injuries suffered by the victims were simple in nature.

He further submits that there are no allegations against the present applicant.

He submits that the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application and submits that name of the applicant has been mentioned in the FIR and one of the victim has suffered fracture of left fronto parietal bone and left radius bone which are grievous in nature.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge