

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7816 of 2018

Chintu Ram Sahu, S/o. Munna Ram Sahu, Aged About 32 Years, R/o. Surajpura, Police Station- Lohara, District- Kabirdham, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Kawardha, District- Kabirdham, Chhattisgarh.

---- Respondent

For Applicant : Mrs. Usha Menon, Advocate

For Respondent : Mr. D.R.Minj, Dy. Govt. Advocate

For Objector : Mr. Achyut Tiwari, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.10.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.278/2018 registered at Police Station- Kawardha, District Kabirdham (C.G.) for the offence punishable under Section 307, 294, 323, 506-B of Indian Penal Code.
2. As per the prosecution case, a report was lodged by one Shailendra that they had taken some work in partnership for erection of power plant and the applicant Chintu Ram Sahu is one of the partner and there has been some dispute about the accounts and as such the complainant Shailendra when called Shyam Shundar to settle the account, the applicant made allegation that the accounts were not being dealt property and assaulted Shyam Sundar by way of wooden plank on his head, which was enough to cause death.

3. Learned counsel for the applicant submits that the charge sheet has been filed and no further investigation is necessary. She further submits that the injury was not fatal in nature and over a trivial dispute the incident happened, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel and learned counsel appearing for the objector opposes the prayer for grant of bail.
5. Perused the case diary and the statement. The charge sheet in this case has been filed. Considering the nature of injury and the background of the dispute and further taking into fact that the applicant is in jail since 04.07.2018, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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/-
(Goutam Bhaduri)
Judge