

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7080 of 2017

Santosh Sidar S/o Jeet Ram Sidar, Aged About 24 Years R/o
Darrabhatah, Police Station Malkharoda, District Janjgir Champa
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Malkharoda, District Janjgir Champa Chhattisgarh.

---- Respondent

For applicant - Shri Ishwar Jaiswal, Advocate.
For Respondent/State –Shri S.R.J. Jaiswal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

03/01/2018

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.124/2017 registered in Police Station Malkharoda, District Janjgir-Champa (C.G.) for offence punishable under sections 307, 294 of Indian Penal Code.
2. Case of the prosecution, in brief, is that over a cultivation and agricultural dispute the applicant has assaulted Santosh Yadav by way of iron rod on his head and other part of the body which was sufficient to cause death.
3. Learned counsel for the applicant submits that on the trivial issue the incident happened. The injured was admitted in the hospital on 7/08/2017 and he was discharged on 10/08/2017 and during pendency of the trial parties have settled their dispute. He submits that injured no longer want to prosecute his case. Learned counsel referred to the order and compromise and submits that the applicant is in jail since 7/08/2017, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents filed by the petitioner. Considering the fact that charge sheet has been filed, also considering the nature of injury and the factum of part of compromise of certain section of IPC, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE