

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7556 of 2017

- Maniram Halba, S/o Anandram Halba, aged about 45 years, R/o Gunderdehi, P.S. Ambagarh, District- Rajnandgaon (C.G.).

---- Applicant

Versus

- State of Chhattisgarh: Through P. S. Ambagarh chowki, Distt.- Rajnandgaon (C.G.).

---- Respondent

For Applicants	:Mr. Pragalbha Sharma, Advocates.
For Respondent	:Mr. Vijay Bhadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

30/01/2018

1. Heard.
2. This is the first bail application of the applicant under Section 439 of the Code of Criminal Procedure, for grant of regular bail to the applicant as he has been arrested in connection with Crime No.225/2017 registered at Police Station – Ambagarh Chowki, District- Rajnandgaon (C.G.) for the offence punishable under Sections 294, 324, 506, 307 of IPC.
3. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in the crime in question. Injuries caused to injured persons are not grievous in nature even then offence is registered under Section 307 of IPC, whereas the offence under Section 307 of IPC is not made out on the basis of charge-

sheet. Applicant is in jail since 21.10.2017. Hence, it is prayed that he may be granted regular bail.

4. Learned counsel for the respondent/State opposes the application and submissions made in this respect. It is submitted that applicant inflicted seven injuries on the body of the complainant and one of the injury which was inflicted on the head, can be considered as grievous in nature, therefore, he is not entitled for grant of regular bail.
5. Heard both the parties and perused the case diary.
6. On the date of incident, the applicant got involved in a quarrel with the complainant Sheetal Das because of previous enmity assaulted with an axe causing the various injuries. After lodging of FIR the case has been investigated and charge sheet has been filed.
7. Considered and perused the case diary, it appears that none of the injuries caused to the complainant in this case has been found fatal or even grievous in nature. I am of this view that it is a fit case where the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court concerned, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge