

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 7962 OF 2018

Rajjulal S/o Amir Singh Aged About 27 Years R/o Village Sajapali, Police Station Akaltara, District Janjgir Champa Chhattisgarh.

... Applicant

Versus

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

... Respondent

For Applicant	:	Shri Anup Majumdar, Advocate.
For Respondent-State	:	Shri Mazid Ali, Dy. Govt. Advocate.

Hon'ble Shri Justice P.Sam Koshy

Order on Board

12/11/2018

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 18.08.2018 in connection with Crime No. 210 of 2018 registered at Police Station, Akaltara, Distt. Janjgir Champa for the offence punishable under Sections 294, 323, 506(B), 323 and 307/34 IPC.
2. The allegation against the applicant is that the present applicant in connivance with other co-accused persons is said to have assaulted the complainant side and caused injuries and in the process one Shanti Lal got injuries on his head which was serious in nature. It is a case where the record by itself would prove that there was an old dispute between the two groups in respect of a piece of land which was sold by the complainant side to the present applicant.
3. It was further contended by the applicant that it is a case of free fight between the two groups and there is a case and counter case lodged from both the sides and injuries also have been sustained by

the applicants side and there is a criminal case registered as crime No.211 of 2018 before the same Police Station. He further submits that it was a case where free fight took place in the field and that the present applicant never had any intention of taking life of the injured Shanti Lal. Thus, prayed for the applicant to be released on bail.

4. The State counsel opposing the bail application submits that the nature of injuries itself would show that it was the present applicant who had assaulted the injured Shanti Lal repeatedly and that the injuries sustained was on the vital part of the body and therefore given the said facts the present applicant do not deserve for bail.
5. Having heard the counsel on either side and on perusal of records particularly taking note of the fact that there is no dispute to the fact that there was a long standing dispute between the two groups in respect of a piece of land. It is also an admitted position that there was free fight between the two groups and the injuries have been suffered on the part of both the sides.
6. Given the said facts and circumstances of the case, prima facie this court is of the opinion that a strong case is made out for grant of bail.
7. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P.Sam Koshy)
Judge