

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8115 of 2018

Sunil Yadav S/o. Manharan Yadav, Aged about 38 years, R/o. Koriyadadar
(Gopalpur), Tahsil and District Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Chakradharnagar, District Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Ashish Gupta, Advocate
For Respondent : Mr. Gary Mukhopadhyay, Govt. Advocate

Hon'ble Shri Justice Vimla Singh Kapoor.

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 bail to the applicant who has been arrested in connection with Crime No. 321/2018 registered at Police Station- Chakradharnagar, District Raigarh (C.G.) for the offence punishable under Section 294,323,307 IPC.
2. As per prosecution case, the applicant assaulted his wife with the hand and fists, thereafter the complainant reported the matter against the applicant in Police Station Chakradharnagar. Thereby the offence committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 04.09.2018 and the charge sheet has been filed in this case. He further submits that the complainant and the applicant are husband and wife and the complainant herself has filed the affidavit

for grant of bail. Hence, it is prayed that the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for bail.
5. Considering the fact that the charge sheet has been filed and the applicant is in jail since 04.09.2018 and the fact that the complainant herself has filed the affidavit for grant of bail of the applicant, I am of the view that it is a fit case where the applicant can be released 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 his furnishing a personal bond for a sum of Rs. 25,000/- with one surety in the like to the satisfaction to the concerned trial Court, for their appearance as and when directed.

Sd/-

(Vimla Singh Kapoor)
Judge

Santosh