

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 648 of 2019

- Ravi Kumar, S/o Naradlal Sahu, Aged About 18 Years, R/o Village-Parsada, Police-Station-Aarang, Civil & Revenue District-Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police-Station- Aarang, Civil & Revenue District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Adil Minhaj, Advocate.

For Respondent : Mr. Avinash Kumar Mishra, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

25/07/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.187/2019 registered at Police Station- Aarang, District–Raipur(C.G.), for the offence punishable under Sections 307/34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant was juvenile on the date of incident and he was only in company of his father Naradlal the co-accused and he has not participated in the offence committed, hence, it is prayed that he may be enlarged on anticipatory bail.
3. Learned State counsel opposes bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.

5. The complainant/victim Purshottam has lodged FIR alleging that he had an altercation with co-accused Naradlal Sahu because of some electricity connection, in the course of scuffle that took place, the co-accused assaulted the victim with some kind of tool because of which the victim suffered depressed fracture on skull and went unconscious for about 10 to 12 days. Hence, this case.
6. The incident has taken place on 23.3.2019. Documents have been filed along with the application which shows that the date of birth according to the Aadhar Card and School Entry Register is 1.4.2001, which shows that the applicant was juvenile on the date of incident, therefore, after due consideration, I feel inclined to allow the application of this applicant.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be

prejudicial to fair and expeditious trial; and

- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha