

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6448 of 2019**

- Adhir Gharimi S/o Harshit Gharimi, Aged About 58 Years Caste - Namoshudra, R/o Neh Nagar Digma, Police Station - Gandhinagar, Tahsil - Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through The Police Station In - Charge , Police Station - Gandhinagar, District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

**---- Respondent**

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 For Applicant : Shri Vinod Tekam, Advocate  
 For Objector : Shri Dev Ashish Biswas, Advocate  
 For Respondent/State : Shri Sameer Sharma, Dy. Govt. Advocate  
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**Hon'ble Smt.Justice Rajani Dubey**  
**Order On Board**

**28.11.2019**

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.170/2019, registered at Police Station Gandhinagar, District Surguja(CG) for the offence punishable under Sections 294 and 307/34 of the IPC.
3. As per the case of prosecution, the complainant lodged a report that on 13.7.2019 when his father was running a temporary shop in the Weekly Market of village Kulhadi, the applicant along with other co-accused persons came there and abused him and assaulted him with lathi, due to which he received injuries.

4. Learned counsel for the applicant submits that the applicant has not committed any offence. The applicant and the complainant are relatives and there is dispute between the parties and the report has been lodged on account of previous enmity and main allegations are against the co-accused. He further submits that the applicant is in jail since 23.7.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State as well as learned counsel for the Objector oppose the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and main allegations are against the co-accused, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

**(Rajani Dubey)**  
**JUDGE**