

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9538 of 2018**

Santosh S/o Janakram Kaushik Aged About 42 Years R/o Village
Parsada ,police Station Chakarbhata District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Police Station
Chakarbhata District Bilaspur Chhattisgarh., District : Bilaspur,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vipin Singh, Advocate
For the State	:	Shri I. Lakra, Dy. Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**14/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.251/2018 registered at Police Station Chakarbhatha, District Bilaspur (C.G.) for the offence punishable under Section 294, 506, 323, 324, 326 read with Section 34 of IPC.
3. Case of the prosecution, in brief is that on 19/09/2018 at about 20 hours Barchhapara Parsada, applicant and co-accused Sarita Kaushik were abusing complainants Rupesh Lahre and Vinod Lahre. Applicant caused the injuries to said complainants by scissor. Co-accused Sarita Kaushik also beat said complainants by hand and fist. Complainant Laxmi Bai intervene then co-accused Sarita Kaushik also beat her.
4. As per the injury report of complainant Vinod Lahre one abrasion was found in his right arm, one lacerated wound was found in his left temporal region, one lacerated wound was found behind left ear pinna. One lacerated wound was found on left shoulder, one lacerated wound was found on left clavicular region. All injuries were caused by sharp object. All injuries were found simple in nature. As per the MLC report of Rupesh Lahre one lacerated wound was found in his left abdomen, one lacerated wound was found on center of back, one abrasion was found on left upper arm. One lacerated wound was found on left arm. All the injuries were caused by sharp object. As per the MLC report of complainant Laxmi Lahre and Padum Kumar Lahre injuries were found simple in nature. As per the query report injury of complainant Vinod Lahre injuries were found grievous in nature but not life threatening.
5. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.

7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde