

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1386 of 2020

- Nitesh Singh S/o Amar Singh Aged About 23 Years Caste- Gond, Resident Of Village- Ganeshpur, Police Station And Tahsil- Ramanujnagar, District- Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Ramanujnagar, District- Surajpur, Chhattisgarh

---- Non-Applicant/ State

For Applicant : Mr. R.V. Rajwade, Advocate

For State : Mr. D.C. Verma, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/05/2020

1. Heard
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 177/2019 registered at Police Station- Ramanujnagar, District Surajpur (C.G.) for the offence punishable under Sections 294, 506, 323, 307/34 of Indian Penal Code.
3. As per the prosecution case, on 29.10.2019, complainant Ram Singh lodged a report that on 09.10.2019, he was enjoying cultural programme at Village Ganeshpur and thereafter he was sitting in fruits trolley, at that time, the applicant and co-accused came there and asked him for consuming liquor and they went to house of Satish Yadav and consumed liquor. Thereafter, the present applicant and co-accused abused the complainant and

assaulted him on his head, due to which, he received severe injury and admitted to the Hospital. Based on this, offence has been registered against the present applicant and other co-accused person.

4. Learned counsel for the applicant submits that the co-accused Prakash Singh has already been enlarged on bail on 10/01/2020 in MCRC No. 75/2020, therefore, the present applicant also be enlarged on bail.
5. Considering the fact that the present applicant is in jail since 23.12.2019 and the co-accused has already been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the 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 sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge