

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 914 of 2020

Roni Dutta S/o Sachin Dutta Aged About 19 Years R/o Durga Nagar,
Apollo Road, Lingiyadih, P. S. Sarkanda District Bilaspur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, P. S. Sarkanda
District Bilaspur Chhattisgarh

---- Respondent

For Applicant : Dr. Shailesh Ahuja, Advocate.

For Respondent/State : Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

18/09/2020

1. The matter is heard through video conferencing.
2. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 583/2020, registered at Police Station Sarkanda, Distt. Bilaspur (C.G.) for the offence punishable under Sections 294, 307, 34 & 341 of the IPC.
3. In this case, there are total two accused persons. According to the case of prosecution, on 16.06.2020, due to some previous dispute, the applicant along with other co-accused person namely Somesh assaulted the complainant Sujeet with the help of iron punch due to that he sustained several injuries. Thereafter, the matter was report by the complainant, on the basis of said report, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the

present case due to some previous dispute between them. The Counsel further submits that only two injuries were found on the parietal region of the complainant which were simple in nature. The counsel further submits that the applicant is a student and the complainant and the applicant have already settled their matter, an affidavit has also been filed by the complainant in this regard. The Counsel lastly submits that other co-accused Somesh has already granted benefit of regular bail. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties, after perusal of FIR and medical reports of the complainant and further considering the fact that both the parties have settled their matter and entered into a compromise. Without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/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. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. 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/-

(Arvind Singh Chandel)
Judge