

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5415 of 2020

- Dharmendra Kumar S/o Arjun Singh Uraon, Aged About 27 Years, R/o Village Padariya, Police Station Pendra, District Gourela- Pendra-Marwahi Chhattisgarh., District : Gaurela-Pendra-Marwahi, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Pendra District Gourela-Pendra-Marwahi Chhattisgarh., District : Gaurela-Pendra-Marwahi, Chhattisgarh

---- Non-applicant

For Applicant – Shri Rakesh Pandey, Advocate.

For Non-applicant/State – Shri Sudeep Verma, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-10-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 14-07-2020 in connection with Crime No.42/2020 registered at Police Station – Pendra, District Gourela-Pendra-Marwahi, Chhattisgarh for the offence under Section 294, 323, 506 B and 307 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant under Section 307 of the IPC, at the most the offence that would be made out would be under Section 325 of the IPC. The applicant is in jail since 14-07-2020. Therefore, it is prayed that the applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that looking to the statement of the witnesses present against this applicant, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the documents.

5. According to the prosecution case, it is alleged that because of the property dispute the applicant assaulted victim Bhanwar Singh with club causing injuries on his head and teeth which resulted in breaking of teeth. The doctor has opined that the injuries caused to the victim are of grievous nature, regarding which the FIR has been lodged.

6. After considering on the submissions and the facts of the case and also the nature of the injuries that has been caused to the victim in the incident, I am of this opinion that the applicant deserves to be granted bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge