

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6312 of 2020

- Munna Kurre, S/o Hiralal Kurre, Aged About 40 Years, R/o Village Bakli, P.S. Rajim, District Gariyaband, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Rajim, District Gariyaband, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Maneesh Sharma, Advocate
Ms. Veena Nair, Dy. AG

Hon'ble Justice Shri Gautam Chourdiya
Order On Board

04/12/2020

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he has been arrested in connection with Crime No.60/2020, registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Sections 294, 323, 506 & 307 read with Section 34 of IPC.
2. The case of the prosecution in brief is that the applicant along with other co-accused persons assaulted Maniram (father of the complainant) and thereby caused injuries to him. The FIR has been lodged on 21.03.2020 by Khemchand Satnami (son of Maniram) and charges were framed against the applicant and other co-accused persons under Sections 294, 323, 506 & 307 read with Section 34 of IPC.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. Both the parties have amicably settled the dispute and compromise has been arrived at between the parties. The applicant is in jail since 21.07.2020 and the conclusion of trial may take some time, therefore, the applicant may kindly be released on bail.
4. Learned State counsel opposes the bail application.
5. Injured - Khemchand and Maniram Kurre are present in the Court and they have stated no objection in granting bail to the applicant.
6. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case and looking to the entire evidence available on record, it appears that the compromise petition has already been filed before the Trial Court and both the parties have amicably settled the dispute; nature of injuries found; custody of the applicant since 21.07.2020; no objection on behalf of the injured persons, charge sheet has already been filed; no previous criminal antecedents of the applicant and the conclusion of trial may take some time, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and it is directed that in the event of applicant's executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the Trial Court, the applicant be released on bail. He is directed to appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

8. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
Gautam Chourdiya
Judge

Nirala