

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6840 of 2020**

- Ramsharan Sumer S/o late Babulal Sumer, aged about 54 years, R/o Village Silpahri, P.S. Marwahi, District-Gaurela-Pendra-Marwahi, Chhattisgarh.

-----Applicant**Versus**

- State of Chhattisgarh Through Police Station Incharge, Police Station-Pendra, District Gaurela-Pendra-Marwahi, Chhattisgarh

---- Non-applicant

For Applicant	:	Mr. Ankit Singhal, Advocate
For Non-applicant	:	Mr. Siddharth Dubey, Dy.Govt. Advocate.

Hon'ble Mr. Justice Parth Prateem Sahu**ORDER****14/12/2020**

1. Applicant has preferred this application under Section 439 Cr.P.C. for grant of regular bail as he has been arrested in connection with Crime No.167/2020 registered at Police Station Pendra, District Gaurela-Pendra-Marwahi (C.G.) for the offence punishable under Sections 294, 323, 324, 326, 506 and 34 of IPC.
2. Case of the prosecution is that complainant Fagni Bai who is mother of Rajkumari (daughter-in-law of present applicant), lodged a complaint stating therein that the applicant and his son namely Umedlal were suspecting upon character of her daughter Rajkumari. Parents of Rajkumari visited her house and resided for about 15

days, while they were returning to their house, daughter-in-law of applicant came out to see off her parents, on the road, some dispute took place between Rajkumari and her in-laws, upon which, applicant abused in filthy language and caused injury to complainant, mother of Rajkumari, by means of slippers and shoes. Rajkumari was taken by her husband Umedlal co-accused and present applicant inside her room and Umedlal caused injury over her nose by means of blade.

3. Mr. Ankit Singhal, learned counsel for the applicant submits that the allegation levelled against the present applicant is with regard to assault given to complaint Fagni Bai by means of slippers and shoes and she has not caused any injury by means of any sharp object. He further submits that there is no other criminal antecedent against the present applicant who is aged about 50 years, he may be enlarged on bail.
4. Opposing the submission made by learned counsel for the applicant Mr. Siddharth Dubey, learned Deputy Government Advocate submits that the present applicant along with co-accused Umedlal have abused the complainant and her daughter and also caused injuries.
5. I have heard learned counsel for the respective parties.
6. Taking into consideration that the allegation of inflicting injury by sharp object to Rajkumari is upon co-accused Umedlal and not against the present applicant, further considering the entirety of facts and circumstances of the case, nature of allegation as also the fact that there is no other criminal past of the present applicant, I

am inclined to allow the bail application.

7. Accordingly, the bail application is allowed. It is directed that the applicant be released on regular bail, upon furnishing a bail bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that-

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) The applicant shall not, in any manner, tamper with the prosecution witnesses.
- c) If the applicant is found involved in similar offence in the future, it will be open for the State to apply for cancellation of Bail.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge