

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7467 of 2020**

- Firoz Khan S/o Munna Khan Aged About 22 Years R/o Kundrubadi, Chingrajpara Police Station Sarkanda, District Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Sarkanda, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:-	Mr. G.V. Kutumba Rao, Advocate
For Respondent-State	:-	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**11/12/2020**

1. The applicant has preferred this application filed under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with crime No.556/2020 registered in Police Station Sarkanda District- Bilaspur C.G. for the offence punishable under Sections 294, 506, 323, 307/34 of the I.P.C.
2. While the applicant and co-accused Gautam Maratha caught hold of Guddu Yadav @ Balaram main accused Lutu Maharaj assaulted him by means of sword. When Bhojram Sahu tried to intervene and save the injured all the accused assaulted him by means of club and sword.

3. While Guddu Yadav @ Balaram has sustained injuries over his right wrist and Bhojram has suffered fracture of right little finger, there is no injury over the neck of the Guddu Yadav @ Balaram. Similarly, Bhojram has also not sustained any injury by sword.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the fact that main accused is Lutu Maharaj, who was carrying a sword; further that this applicant has actually not assaulted injured Guddu Yadav @ Balaram; and for the assault made on Bhojram, he has sustained fracture in the right little finger and for the fact that the applicant is in jail since 09.08.2020; has no previous antecedent; as also for the reason that charge sheet has already been filed, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi