

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1840 of 2021**

Manfer Yadav @ Ramfer Yadav, S/o. Ramdhari Yadav, Aged About 58 Years, R/o. Village- Durti, Police Station- Pratappur, District- Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station- Pratappur, District- Surajpur, Chhattisgarh

---- Respondent

For Applicant : Mr. Ajay Kumar Pandey, Advocate

For Respondent/State : Mr. Aditya Bhardwaj, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

05.07.2021

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 05.12.2020 in connection with Crime No.205/2020 registered at Police Station- Pratappur, District Surajpur, for the offence punishable under Sections 294, 506, 186, 307 of Indian Penal Code.
2. As per the prosecution case, on 02.12.2020 the applicant was taking wood from the forest, which was objected by the forest guard, therefore, it aggravated altercation and applicant assaulted the forest guard Rahul Singh with intention to kill, whereby he sustained injuries on his ear.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, the nature of injury is not grievous and there is no intention to kill. He further submits that the charge sheet has been filed and the applicant is in jail since 05.12.2020; therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Considering the nature of injury which is 2x0.5 cm in the ear and further considering the fact that the charge sheet has been filed and the applicant is in jail since 05.12.2020, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.50,000/- with one surety in the like sum 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/-
(Goutam Bhaduri)
Judge

Ashok