

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2109 of 2021**

- Manoj Kumar Baghel S/o Sukhram Baghel Aged About 35 Years R/o Village Taurenga, Police Station Paylikhand (Jugad), District Gariyaband, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Paylikhand (Jugad), District Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Krishna Kumar Dewangan, Advocate
For Respondents/ State	:	Shri Rahul Jha, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****17/05/2021**

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 in connection with Crime No. 02/2021 registered at Police Station- Paylikhand (Jugad) District Gariyaband (C.G.) for the offence punishable under Section 294, 323, 326 of IPC.
2. As per the prosecution case on 10.02.2021 on a dispute the applicant assaulted the complainant Ghanaram Pradhan with a burning stick on the left shoulder and thereafter fracture was caused.
3. Learned counsel for the applicant submits that on a trivial dispute the incident occurred and there was no intention to cause such injury. He further submits that the applicant is in jail since 22.02.2021 and charge sheet has been filed and offence is triable by Judicial Magistrate First Class,

therefore, the present applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and the circumstances since the offence is triable by Judicial Magistrate First Class and the charge sheet has been filed and the applicant is in jail since 22.02.2021, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
7. Accordingly, I.A. No. 01 i.e. application for urgent hearing and I.A. No. 02 i.e. application for hearing during summer vacation stands disposed off.

Sd/-

Goutam Bhaduri
Vacation Judge