

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2173 of 2021

- Sumant Ayaam S/o Late Thakur Prasad Aged About 40 Years R/o Shankarpur, P.S. Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh,

---- Respondent

For Applicant	–	Mr. Shakti Raj Sinha, Advocate
For State	-	Mr. Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2021

1. This is the first bail application filed under Section 439 of CrPC for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 55/2020 registered in Police Station Raghunathnagar Distt. Balrampur Ramanujganj (C.G.) for offence punishable under Sections 294, 506, 323, 307 r/w 34 of Indian Penal Code.

2. As per prosecution case, on 19.06.2020, over an initial property dispute, Nandlal & Devlal came and abused the applicant. Thereafter after some time, Nandlal, Devlal, Dharendra and Sumant (the present applicant) came there and assaulted the victim Lalchand and his sister Samudri by way of a club and by such assault, Lalchand suffered a fracture on his frontal bone of the head and the assault was also on the back of the shoulder.

3. Learned counsel for the applicant submits that the main allegation of assault is on Devlal and Nandlal. It is submitted that the present applicant has forcefully been implicated and no allegation has been made that he has

committed any assault. He submits that the chargesheet has been filed, no investigation is necessary therefore the applicant may be enlarged on bail.

4. Learned State counsel opposes the bail application.

5. Considering the statement of the victim Lalchand, the injury made, prima facie it appears that the injury has been inflicted by Devlal and no allegation has been made against the present applicant, the fact that the chargesheet has been filed and the applicant is in jail since 19.01.2021, I am inclined to release the applicant on bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

Judge