

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2143 of 2021

- Sunil Kumar Joshi S/o Jagdish Joshi, Aged About 27 Years R/o Village Khudmudi, Police Station And Tahsil Chuikhadan, District Rajnandgaon Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chuikhadan, District Rajnandgaon Chhattisgarh,

---- Respondent

For Applicant	–	Mr. Abhishek Sharma, Advocate
For State	-	Mr. Aditya Bhardwaj, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.07.2021

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. 50/2021 registered in Police Station Chuikhadan Distt. Rajnandgaon (C.G.) for offence punishable under Sections 294, 323, 506, 307 of Indian Penal Code.
2. As per prosecution case, a dispute arose on putting a fencing over the property which was objected by the complainant and thereafter the applicant assaulted the complainant with an iron rod whereby four injuries were caused to the complainant - one was in occipital region, one was in the head, one in the arm and another one was in the chest.
3. Learned counsel for the applicant submits that the incident happened on a trivial issue, there was no intention to hit the complainant, the applicant is in jail since 03.03.2021, the chargesheet has been filed and no further investigation is necessary. It is submitted that in the CT scan, no injury to the brain is found, therefore the applicant may be enlarged on bail.
4. Learned State counsel opposes the bail application.
5. Primary it appears that according to the State counsel, there is no opinion

of the Doctor whether the injuries are fatal or not. Considering the nature of injury, the background on which the incident happened and the fact that the chargesheet has been filed and the applicant is in jail since 03.03.2021, 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

Vishakha