

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2367 of 2021

- Ramkumar Sahu S/o Anand Ram Sahu, Aged About 55 Years R/o Karrapara, Chandanbirhi, P.S. Gunderdehi, District Balod (C.G)

---- applicant

Versus

- State Of Chhattisgarh Through - Police Station Gunderdehi, District Balod (C.G.)

---- Respondent

For Applicant	–	Mrs. Aditi Singhvi, Advocate
For State	-	Mr. Aditya Bhardwaj, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.07.2021

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. 406/2020 registered in Police Station Gunderdehi Distt. Balod (C.G.) for offence punishable under Section 307 of Indian Penal Code.
2. As per the prosecution case, on a dispute over changing of a T.V. channel, the applicant i.e. father-in-law of the complainant Gameshwari Sahu, assaulted her by way of a wooden stool which caused grievous injury on her head and fingers.
3. Learned counsel for the applicant submits that the way the background of the incident as it happened would show that there was no intention of the applicant to kill her, as such, the case under Section 307 of IPC could be made out. It is stated that the injury may be grievous in nature but any intention to kill was absent. She read out the statement of Gameshwari Sahu and submits that the applicant is aged about 55 years, the chargesheet has already been filed, therefore the applicant may be enlarged on bail.
4. Learned State counsel opposes the submission and submits that the injury was grievous in nature.
5. Considering the statement of Gameshwari Sahu and the injury and taking into consideration the background of the casem without any further observations on the merit of the case, 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