

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.8016 of 2020

Ravindra @ Bittu Yadav S/o Brijlal Yadav Aged About 21 Years R/o Sikola
Bhata, Bear Shitala Temple, Durg, Tehsil And District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Durg, District Durg
Chhattisgarh

---- Respondent

For Applicant	:	Shri Anmol Sharma, Advocate
For Respondent/State	:	Shri Lalit Jangde, Dy. G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/01/2021

Heard.

1. The applicant has been arrested in connection with Crime No.336 of 2020 registered at Police Station-Mohan Nagar, District Durg (CG) for the alleged commission of offence under Section 294, 506, 323, 327, 427 & 34 of IPC.
2. Prosecution case is that the applicant and co-accused entered the shop of the complainant and demanded Rs.1,000/- and when it was not given, they abused, threatened the complainant and also assaulted him and damage was caused to the property kept in the store.
3. Learned counsel for the applicant would submit that even according to the FIR and the statement of the victim, the co-accused is the main accused and the applicant is only said to have been accompanying co-accused. It is next submitted that except some swelling, no other significant injury has been found on the body of the victim and as offence under Section 427 of IPC is bailable in nature, at this stage, when the investigation is complete, charge-sheet has been filed and that the applicant is in jail since 12.10.2020, the applicant may be granted bail.
4. On the other hand, learned counsel for the State opposes the prayer and

submits that according to the version of the complainant, the present applicant also picked up a stick and damaged property in the shop, therefore, it is clear that present applicant and co-accused both have involved in the alleged commission of offence.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of allegation and that in the medical examination, the victim is reported to have sustained some swelling in the left hand and no other significant injury is reported and also taking into consideration that valuation of the property alleged to have been damaged Rs.30,000/- I am inclined to grant bail to the applicant. Therefore, the bail application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge