

NAFR

HIGH COURT of CHHATTISGARH, BILASPUR**MCRC No. 8257 of 2021**

- Kirtan Ghritlahare S/o Bisouha Ghritlahare aged about 35 Years R/o Village Kaundkera, Police Station Rajim, District Gariyaband Chhattisgarh.

-----Applicant**VERSUS**

- State of Chhattisgarh through: The Station House Officer, Police Station Rajim, District Gariyaband Chhattisgarh.

-----Non-applicant

For Applicant	: Mr. Raghvendra Pradhan, Adv.
For Non-applicant/State	: Mr. Shrikant Kaushik, Panel Lawyer.

Single Bench: Hon'ble Shri Parth Prateem Sahu, Judge**ORDER****10/12/2021**

1. Applicant has filed this application under Section 439 of CrPC for grant of regular bail as he has been arrested in connection with Crime No. 206/2021 registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 451, 327, 294, 323, 506 of IPC.
2. Case of prosecution is, that on 18.08.2021, at about 07:30 pm, applicant entered into the house and demanded money for purchasing liquor from complainant who is mother-in-law of applicant. When she handed over Rs. 100/- only, applicant demanded more money from her and when she refused he started abusing and assaulting her by hands and fist. When daughter of complainant (wife of applicant) came to intervene she was also abused and assaulted. Incident was reported to concerned police station on the next day, based on which aforementioned crime is registered against applicant and he was arrested on 26.08.2021.
3. Mr. Raghvendra Pradhan, learned counsel for the applicant would submit that applicant is son-in-law of complainant, as per allegation, quarrel took place when applicant demanded money from complainant when he was in intoxicated condition, applicant is a habitual drinker. Complainant suffered simple injury. Applicant is in

jail since 26.08.2021. Learned counsel further submits that except Section 327 of IPC, all the other offences are bailable, hence, he may be granted bail.

4. Mr. Shrikant Kaushik, learned State counsel, while opposing the submissions made by the learned counsel for the applicant, would submit that applicant is a habitual offender as few criminal antecedents under IPC are registered against him. Upon asking specific query, learned counsel submits that couple of offences are of the years 2015, 2016 and 2018 against applicant as appearing in the case diary and the main offences are under Sections 294, 506, 323 of IPC.
5. I have heard learned counsel for the respective parties.
6. Taking into consideration the facts and circumstances of the case, nature of allegation, period of detention of applicant, offence to be triable by Magistrate, without commenting anything on merits, I am inclined to allow the bail application.
7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that-
 - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) The applicant shall not, in any manner, tamper with the prosecution witnesses.
 - c) If the applicant is found involved in similar offence in the future, it will be open for the State to apply for cancellation of Bail.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
 Judge