

**(2018) 05 CHH CK 0212**

**Chhattisgarh High Court**

**Case No:** Miscellaneous Criminal Case (MCRC) No. 2869 Of 2018

Gendram Satnami

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

**Date of Decision:** May 25, 2018

**Acts Referred:**

- Indian Penal Code, 1860 - Section 294, 323, 324, 326. 506
- Code Of Criminal Procedure, 1973 - Section 439

**Hon'ble Judges:** P. Sam Koshy, J

**Bench:** Single Bench

**Advocate:** B.L. Dembra, Prasoon Bhaduri

**Final Decision:** Allowed

**Judgement**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has

been arrested and is in jail since 26.02.2018 in connection with Crime No. 52/2018, registered at Police Station- Bhatapara Gramin District Baloda

Bazar, Bhatapara (C.G.) for the offence punishable under Sections 294, 323, 324, 326, and 506 of the Indian Penal Code.

2. Case of the prosecution against the present applicant, in brief, is that the present applicant on 14.02.2018 is said to have gone to the matrimonial

house of his wife where his wife was staying and he is said to have entered into altercation with his father-in-law named Shyamlal Satnami and in the

course of altercation, the present applicant is said to have assaulted his father-in-law who has received couple of injuries.

3. Learned counsel for the applicant would submit that the present applicant remained in custody for a period of about three months and the nature of

the dispute being more a family dispute, the present applicant be released on bail.

4. Learned State counsel however opposes the bail application and prays for rejection of the bail application.

5. I have heard the contentions put-forth by either sides, particularly taking into note of the fact that the dispute primarily appears to be a family dispute and also considering the entire facts of the case, this Court is of the opinion that strong case for grant of bail to the applicant is made out.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.