

## Santosh Khare @ Lala Khare Vs State Of Chhattisgarh

**Court:** Chhattisgarh High Court

**Date of Decision:** May 30, 2018

**Acts Referred:** Indian Penal Code, 1860 â€” Section 294, 323, 324, 326  
Code Of Criminal Procedure, 1973 â€” Section 439  
Arms Act, 1959 â€” Section 25, 27

**Hon'ble Judges:** Manindra Mohan Shrivastava, J

**Bench:** Single Bench

**Advocate:** Vikas Shrivastava, PK Bhaduri

**Final Decision:** Allowed

### Judgement

Manindra Mohan Shrivastava, J

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been

arrested on 30.11.2017 in connection with Crime No. 706/2017 registered at Police Station Sarkanda District Bilaspur (CG) for the offence punishable

under Section 294, 323, 324 & 326 of the IPC and Sections 25 & 27 of the Arms Act.

2. As per the prosecution case, the applicant assaulted the victim with the help of sword resulting in grievous injury.

3. Learned counsel for the applicant submits that looking to the nature of injury sustained by the victim, at this stage the applicant may be granted bail

as he is in jail since 30.11.2017 and investigation is completed and charge sheet has been filed, therefore, the applicant may be released on bail.

4. On the other hand State counsel opposes the bail application and submits that the manner in which the applicant assaulted the victim and the

weapon used and caused injury, the applicant may not be released on bail.

5. Taking into Consideration the submission of learned counsel for the parties , perusing the case diary and also that the applicant is in jail since

30.11.2017, the investigation is complete and the charge-sheet has been filed in this case, I am inclined to release the applicant on bail.

6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/-

with two surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the

said Court.