

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2797 OF 2015**

Kes Kumar S/o late Bhukhanlal Dewangan, aged about 51 years, R/o. Village Kesla (Kharora), P.S.-Kharora, Tahsil-Tilda, Civil & Revenue District-Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through-Police Station – Kharora, Distt.Raipur (C.G.).

---Non-applicant

For Applicant	:	Mr. C.R.Sahu, Advocate.
For-Non-applicant	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/07/2015**

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 in connection with Crime No.51 of 2015, registered at Police Station-Kharora, Distt.Raipur (C.G.), for the offence punishable under Section 307 of the IPC.

2. Case of the prosecution, in brief, is that, the applicant has assaulted his wife Shushila Bai by axe and sickle by which Shushila Bai suffered grievous injuries, which were sufficient to cause her death.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the present case. Injuries are simple in nature and she only remained in hospital for 10 days. It is family dispute between husband and wife and no useful purpose will be served by keeping the applicant in jail.

4. Learned State counsel would oppose the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; grievous injuries suffered by the injured in her head, face, left hand, fingers and other parts of the body, which are alleged to be caused by sharp edged weapon, this Court is not inclined to release the applicant on regular bail.
7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.
8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE