

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7039 of 2015

Ejaj Khan, S/o Shahjad Khan, Aged About 18 Years, R/o Sheetla Complex
Near Shubhash Aata Chakki, Camp 2 Bhilai, P.S. Chhawani, District Durg
(Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, P.S. Chhawani,
District Durg (Chhattisgarh)

---- Respondent

For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent : Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/12/2015

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 in connection with Crime No.533/2015, registered at Police Station- Chhawani, District Durg (C.G.) for the offence punishable under Sections 147, 148, 149, 294, 506, 307 of Indian Penal Code.
2. As per the prosecution case, in brief, on 10.09.2015 the applicant alongwith other co-accused at the time of immersion of Krishna idol attacked the complainant Sheru Jaiswal and the applicant assaulted by way of blade to his abdomen; thereby the offence has been committed.
3. Learned counsel for the applicant submits that the nature of injury is simple in nature and therefore considering the allegations leveled against this applicant and the fact that he is in jail since 10.09.2015, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the complainant was attacked and he was assaulted by way of surgical blade on his abdomen and the main allegations are against this applicant, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge