

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6446 of 2015

Naresh Bhimnani S/o. Ramesh Bhimnani, aged about 28 years,
R/o. Lodhipara, Premnagar, Murabhatti, Near Chakradhari
Rikshgarage, P.S. Gudhiyari, Raipur, Civil and Revenue District
Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through the Station House Gudhiyari District
Raipur (C.G.)

---- Respondent

For Applicant	:-	Shri Rajesh Singh, Advocate
For Respondent/State	:-	Shri O.P. Sahu, Government Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

30/11/2015

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. 172/2015 registered at Police Station – Gudhiyari, District – Raipur (C.G.) for the offence punishable under Sections 307 of IPC and section 25 and 27 of the Arms Act.
2. As per prosecution case, in brief is that, it is alleged that being felt embarrassed with the incident of previous day occurred between the applicant and the victim. Thereafter, an altercation took place between the applicant and the victim, the present applicant come on the spot with knife and attacked the injured Shankar Sahu on his left thigh and left side of rib and thereafter the case was registered against the present applicant.
3. Counsel for the applicants submits that from the reading of the case diary, it would be reflected that there was a dispute

between the applicant and the complainant and the incident occurred because of the said dispute which was on account of a sudden provocation resulting in the assault on the injured and the injury was not grievous in nature. He further submits that if the intention to kill the victim, the injury caused on the vital part of the body of the victim and the charge sheet in this case has been filed and therefore, he may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Having regard to the nature of offence and injury and the background and circumstance the offence is committed by the applicant and taking into account the fact that the charge sheet has been filed in this case and the detention period of the applicant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge