

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 584 OF 2016**

Kirtiman Tarak S/o Nathuram Tarak aged about 18 years
R/o village Charoda Police Station Arang District Raipur
(CG)

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer
Police Station Arang District Raipur (CG)

---Non-applicant

For Applicant	: Mr. C.K. Sahu, Advocate
For-Non-applicant	: Mr. Suvigya Awasthy, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/02/2016**

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. 320/2015, registered at Police Station Arang District Raipur (C.G.), for the offence punishable under Section 307 of IPC.

2. Case of the prosecution, in brief, is that, on 04/10/2015 applicant caused knife injury to minor complainant at 1 A.M., by which, she suffered grievous injury, which was sufficient to cause her death and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that applicant having love affair with minor complainant. He would lastly submit that charge sheet has been filed and applicant is in jail since 05/10/2015, therefore, he may be released on bail.

4. On the other hand, 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; the manner, in which, applicant entered into the house of

minor complainant at 1 A.M.; misbehaved with her; assaulted her by sharp edged weapon, by which, she suffered multiple injury on the neck, I am 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