

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3997 of 2016

Ravi Yadav, S/o. Late Shri Gyanu Yadav, aged about 27 years, R/o. Near Shiv Mandir, Pandri Talab, Police Station – Devendra Nagar, District – Raipur (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : Police Station – Devendra Nagar, District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. D.K. Gwalare, Advocate
For Respondent : Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

25/07/2016

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.20/2016, registered at Police Station- Devendra Nagar, District – Raipur (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 07.02.2016, while consuming liquor, the applicant and the victim Nagesh Jagat was entered into dispute and on the subsequent date, the applicant assaulted the victim three times on his thigh by way of knife. Thereby tried to commit murder.
3. Learned counsel for the applicant submits that both the applicant and the victim were friends and the way the incident happened, it can not be stated that there was intention to kill. It is further

submitted that charge-sheet in this case has been filed and the applicant is in jail since 10.02.2016, therefore, counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, the nature of injury and the background of the offence and the way it has happened, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge