

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4135 of 2016

Kartik Gond, S/o. Baishakhu Gond, Aged About 38 Years, R/o. Gram Kuchenga, P.S. Shobha, District Gariyabandh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Shobha, Gariyabandh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anjinesh Shukla, Advocate

For Respondent : Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.07.2016

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.2/2016 registered at Police Station- Shobha, Gariyabandh (C.G.) for the offence punishable under Section 307 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 04.03.2016, the applicant who related to the complainant over some old dispute has assaulted the complainant/ injured Mahesh Gond by way of Axe two times from his back, thereby, he tried to murder the complainant.
3. Learned counsel for the applicant would submit that the nature of injury is simple in nature and the incident took place because of the dispute over a family affairs and there was no intention to kill, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts of the case, nature of injury and the statement of the complainant, at this stage, 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