

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6605 of 2016

1. Paras Dhruv, S/o. Late Bholaram Dhruv, aged 19 years, R/o. Devrikhurd, P.S. - Torva, Tahsil and District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station - Torva, District – Bilapur (C.G.)

---- Respondent

For Applicant	: Mr. Raj Kumar Gupta, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/10/2016

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.79/2016, registered at Police Station – Torva, District – Bilaspur (C.G.) for the offence punishable under Section 307 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Pappu that on 11.03.2016, the applicant assaulted him by way of Sickles, thereby tried to murder. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the injured Pappu has been examined before the Court below and he has not supported the case of the prosecution, therefore, under the facts of this case, no offence is made out against the applicant and the applicant is in jail since 19.03.2016, therefore, the counsel prays

that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that injured in this case has been examined and he has not supported the case of the prosecution.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of the injured, Pappu Dhruv. Prima-facie it appears that the injured has not supported the case of the prosecution, without any further observation on merits, 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