

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 417 of 2017

Narendra Kumar Sahu, S/o. Setlal Sahu, Aged About 22 Years, R/o. Village Mohara, Police Station Gurur, District Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police Station Gurur, District Balod, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01/02/2017

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.792/2016 registered at Police Station- Gurur, District Balod (C.G.) for the offence punishable under Section 307 of Indian Penal Code.
2. As per the prosecution case, on 01.11.2016 one Khilanand Yadav along-with Mithlesh went to the Betel Shop, at that time, the applicant was there and some altercation took place between Mithlesh and the applicant and Khilanand tried to intervene. On such, the applicant assaulted Khilanand, the injured, by way of Knife on his abdomen.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and there was no intention to kill, as no dispute took place in between the applicant and the injured, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perusal the case diary, the statement of the injured and the eye-witness. Considering the query report and the nature of injury, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Ashok