

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1369 of 2017

Akhilesh Yadav, S/o. Balram Yadav, Aged About 18 Years, R/o. Village Sirsakhurd, Police Station Pulgaon, Out Post Jevra Sirsa, Tahsil & District-Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The District Magistrate, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. N.S.Dhurandhar, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20/03/2017

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.562/2016 registered at Out Post- Jevra Sirsa, Police Station- Pulgaon, District Durg (C.G.) for the offence punishable under Section 307/34 of Indian Penal Code.
2. As per the prosecution case, on 01.11.2016 one Mahendra and Harish were quarreling, the applicant had intervened and tried to pacify and the injured Ved Prakash wanted to save Harish, being enraged by this, the present applicant took out a knife and assaulted the injured on his abdomen whereby the intestine came out.
3. Learned counsel for the applicant would submit that there has been no intention to kill, the injured has already been discharged from the Hospital, the charge sheet has been filed and no further

investigation is necessary, 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 statement of the victim. Considering the statement and the medical report, 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