

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5664 of 2017**

- Bhupendra Dahariya S/o Bharat Dahariya Aged About 21 Years, Caste Dahariya, R/o Village Motimpur, P.S. Takhatpur, Distt. Mungeli Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station-Gourela, Distt. Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Yogendra Chaturvedi, Advocate
For Respondent-State	:	Shri Anupam Dubey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****21/11/2017**

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 on 11.05.2017 in connection with Crime No. 110/2017 registered at Police Station Gourela, District Bilaspur (CG) for the offence punishable under Section 307 of the I.P.C.
2. As per the prosecution case, a report was lodged by the victim that on 08.05.2017, she went along with the present applicant, who is her brother-in-law to Amarkantak and while she was coming back, the applicant assaulted the victim on her neck by a blade and tried strangulate with intention to kill because of which she became unconscious and the applicant fled away from there. Thereafter, when the victim became conscious, she came and report was lodged.

3. Learned counsel for the applicant would submit that no intention has been shown and because of some family dispute this false allegations have been leveled against the applicant 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 statement of the victim as also the medical report. Considering the nature of injury, I am not inclined to to release the applicant on bail. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri

Judge

Ashu