

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 6687 of 2017**

Mukesh Dafadar S/o Makhan Dafadar Aged About 26 Years R/o Village P. V. 97 Durgapur Police Station Bande District North Bastar Kanker Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Bande District North Bastar Kanker Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. P.K. Tulsyan, Advocate
For State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/12/2017**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 20/2017 registered at Police Station Bande, District North Bastar, Kanker, Chhattisgarh for the offence punishable under Sections 498(A) and 307 of I.P.C.
2. The present applicant is in jail since 27.03.2017 in connection with the aforesaid Crime number.
3. The case of the prosecution against the present applicant is that the applicant is said to have assaulted his wife on 19.03.2017 with a crowbar (sabbal) on account of the assault, the 6th rib on the left side received fracture injuries.
4. The counsel for the applicant submits that the present applicant is in jail almost for 9 months and considering the period of custody, he be released on bail. He further submits that it is a case where there is only one blow given by the present applicant and that to because of

the sudden provocation which arose between the parties in the house of present applicant. He further submits that the complainant and the present applicant both are husband and wife, and therefore the present applicant may be released on bail.

5. The State counsel however opposes the bail application submits that the nature of injuries and the article used for assaulting the victim is dangerous and therefore the applicant does not deserve to be released on bail.
6. Considering the facts and circumstances of the case, particularly the manner in which the assault has been made and the weapon being used for the assault and the injuries sustained by the complainant, this Court is of the opinion not a fit case for grant of bail. Accordingly, the present application for grant of bail is rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved