

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 7416 of 2017**

Mohammad Ahfas S/o Mohd. Javed, aged about 19 years, R/o Pension Bada, Police Station City Kotwali, Raipur, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh through Police Station City Kotwali Raipur, Chhattisgarh.

---- Respondent

For Applicant : Shri Kishore Bhaduri, Advocate
 For Respondent/State: Shri Garry Mukhopadhyay, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08/12/2017**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who has been arrested in connection with Crime No. 221/2017 registered at Police Station City Kotwali, Raipur (CG) for the offence punishable under Sections 294, 506B, 323, 324, 327 of IPC and Section 25 of Arms Act. The applicant is in jail since 02.09.2017.

2. The allegation, as per the prosecution, against the present applicant is that he is said to have assaulted the injured with a knife on 19.07.2017 on the issue of demand of money for liquor by the applicant.

3. Counsel for the applicant submits that except for the offence under Sections 324 & 327, all other sections are bailable. He submits that the injury caused to the complainant is simple in nature as it is only skin deep. He further submits that the applicant has already remained in custody for a period of more than 3 months and therefore, considering all these facts, the applicant may be released on bail.

4. State counsel, however, opposes the bail application on the ground that the assault was made with a knife and that there is a past antecedent also against the present applicant.

5. Considering the total facts and circumstances of the case, particularly the nature of incident and the offence and also considering the nature of injury sustained by the complainant and the period of custody already undergone by him, this Court is of the opinion that it is a fit case for grant of bail to the applicant.

6. Accordingly, the application for grant of bail is allowed. It is directed that the 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 before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE