

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 944 of 2017**

Rajendra Sahu S/o Chhagan Sahu, aged about 30 years, R/o Raghunath Nagar,
PS Raghunath Nagar, District Balrampur Chhattisgarh.

---- Applicant

VERSUS

State of Chhattisgarh, Through PS Raghunath Nagar, District Balrampur,
Chhattisgarh.

---- Non-Applicant

For Applicant	: Shri Manoj Mishra, Advocate.
For Non-Applicant/State	: Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri.**Order on Board****01/03/2017**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 04/2016, registered at Police Station–Raghunath Nagar, District Balrampur (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
2. The first bail application being M.Cr.C. No. 4843 of 2016 was dismissed for want of prosecution on 24.08.2016.
3. Case of the prosecution, in brief, is that on 30.01.2016, the applicant assaulted his wife Vinita Sahu and caused several injuries by knife at neck, shoulder and other parts of the body and also amputated one finger and thereby tried to kill her. A report to this effect was lodged by Lakhan Sahu, father of the victim.
4. Learned counsel for the applicant submits that the applicant has not committed any such offence. In fact, it was a dispute between the husband and wife on trivial issues. The applicant is in jail for the last 11 months.

Charge sheet has already been filed and no further investigation is required.

Therefore, the counsel prays that the applicant may be enlarged on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. I have heard learned counsel appearing for the parties.
7. On perusal of the statement of the victim, Vinita Sahu, it shows that the victim had earlier also lodged a report against the applicant for the offence punishable under Section 498 IPC and was living in her matrimonial home. On 30.01.2016, when the applicant saw his wife, he assaulted her with a knife.
8. Considering the nature of the report which shows that there are as many as four incised injuries on the body of the victim and that one finger was amputated, and taking into consideration the evidence available on record and the nature of allegations, I do not deem it a fit case in which the applicant should be enlarged on regular bail.
9. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.
10. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge