

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 8038 of 2017

- Pahul Ahirwar S/o Rohit Ahirwar Aged About 21 Years R/o Mini Basti Jarhabhatha Police Station Civil Line District Bilaspur Chhattisgarh, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Civil Line Bilaspur District Bilaspur Chhattisgarh, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Devesh Chandra Verma, Advocate.
For the Respondent/State	:	Ms. Smita Ghai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09.05.2018

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.761/2017 registered at Police Station – Civil Line, District – Bilaspur, (C.G), for the offences under Sections 294, 324, 307, 506 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 04.10.2017. After completion of investigation the charge-sheet has been filed against him. According to the material present in the case diary no offence is made out under Section 307 of IPC and the trial is pending before the concerned Court, hence, it is prayed that he may be released on bail.
3. Learned counsel for the State opposes the bail application and submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.
5. As per the case of the prosecution on the date of incident this applicant and the complainants- (Monti @ Sheikh Juber and Satish Gadewal) engaged in a quarrel in which this applicant used abusive words, threatened and then assaulted complainant -(Monti @ Shiekh Juber) with knife causing injuries on his chest, hand and head. Hence, this case.
6. Considered on the submission made and contents of the case diary. After perusal of the medical examination report of injured although it is stab injuries on his chest, hand and head, but none of the internal organs were involved and there is no report that the injury caused were sufficient to cause his death. Further it appears that the trial will take time before its completion, for these reasons, I am of the view that this applicant should be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)
Judge

Jamal