

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4514 of 2018**

Mo. Anish S/o Mo. Amin Aged About 20 Years R/o- Behind House Of Multavi, Rizvi Gali, Moudhapara Raipur, Police Station Moudhapara, Tahsil And District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station Purani Basti, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Rajkumar Pali, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.07.2018**

Heard.

1. This is the first 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.31 of 2018, registered at Police Station – Purani Basti, District Raipur, Chhattisgarh for the offence punishable under Sections 294, 324/ 34, 506-B and 326 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 15.5.2018 and has been falsely implicated in this case. No case is made out against the applicant under Section 326 of the IPC. The applicant is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, the applicant assaulted complainant – Mohd. Firdos with a knife causing injury on his back and the examining doctor reported that the injury was grievous in nature.
6. Considered the material present in the case-diary. Neither there is any finding in the MLC report to show the gravity of the injury caused to the complainant nor the injury has been caused on any vital part of the body. Hence, for these reasons, I am of the considered opinion that the applicant deserves to be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge