

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5884 of 2018**

Vikas @ Vikki Sahu S/o Late Yashwant Kumar Sahu Aged About 22 Years Permanent R/o Village Tekari (Mandhar), Vidhansabha, Raipur District Raipur Chhattisgarh Presently R/o Ashok Nagar Gudiari, P. S. Gudiari, Raipur District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, Raipur District Raipur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Mayank Chandrakar, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06/10/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.264/2018 registered at Police Station Pandari, Raipur, District Raipur (C.G.) for the offence punishable under Section 307 of IPC and Section 25 & 27 of Arms Act.
3. Case of the prosecution, in brief is that on 20/04/2018 near the foreign liquor shop Mova, Raipur at about 7.30 p.m. on account of previous enmity the applicant caused injury on his right abdomen by the knife.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. He further submits that there is one criminal case has already been registered against the applicant under Section 307 of IPC.

6. Counsel for the applicant further submits that applicant has already got the bail in earlier case, size of injury is only 0.5 x0.5 cm., ultra sonic report of the complainant is normal, injury is not sufficient to cause death in ordinary course of nature.
7. As per the injury report of the complainant one incised wound is found on right side of abdomen size of injury 0.5x0.5 cm. In query report doctor opined that if the complainant would not get immediate medical treatment, then he would die.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
9. Accordingly, bail application is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge