

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5895 of 2018

- Bodo @ Rukesh Sahu S/o Ashwani Sahu, Aged About 27 Years, R/o- Village Joki, Police Station Sakari, Tahsil Takhatpur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Sakari, Tahsil Takhatpur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Mr. Vinod Kumar Tekam, Advocate.

For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application was dismissed as withdrawn with liberty to revive the same after examination of the victim in this case. The applicant has been arrested on 01-03-2018 in connection with Crime No.58/2018 registered at P.S. -Sakari, District- Bilaspur, Chhattisgarh for the offence under Section 307 of IPC and Section 25 & 27 of Arms Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 01-03-2018. No case is made out against this applicant. The trial against this applicant is pending getting delayed due to non-appearance of the witnesses. Hence, it is prayed that this applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. The case against this applicant is this, that on the date of incident he

had first tried to strangle victim Lav Tiwari and thereafter he assaulted him with a sword causing injuries to him.

6. As none of the injuries caused to the injured person is of grievous nature or reported to be fatal in nature, hence, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge