

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 463 of 2019**

Chhital Ram Padmakar S/o Shri Kunwar Singh Padmakar, Aged About 52 Years Caste - Gond, R/o Village Tumadikasa, P.S. Doundi, District Balod Chhattisgarh At Present R/o Kundurupara, Balod, District Balod Chhattisgarh., District : Balod, Chhattisgarh .

---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer, Police Balod, District Balod Chhattisgarh., District : Balod, Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Gurudev I. Sharan, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**22/02/2019**

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 learned counsel for the State in connection with the Crime No.376/2018 registered at Police Station Balod, District Balod (C.G.) for the offence punishable under Sections 450, 307 of IPC.
3. Case of the prosecution, in brief is that in the intervening night of 04/10/2018 and 05/10/2018 complainants Kewal Ram and Himanshu were sleeping in the house. Applicant reached there and caused the injuries on back of head, neck, left cheek, chest of complainant Kewal Ram by chopper (gandasa) and knife. He also caused injuries on both cheeks, near right ear of complainant Himanshu by chopper (gandasa) and knife.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. As per the certified copy of the statements of the complainants Kewal Ram & Himanshu which are the part of the bail petition recorded by the

trial Court on 04/02/2019 they had stated that unknown culprit had caused injuries to them. They turned hostile. They denying the suggestion that applicant had caused injuries on their body.

7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde