

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 566 of 2019

- Vinod Patel S/o Shivcharan Patel Aged About 27 Years R/o Motisagarpara, P.S. City Kotwali, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Police Chowki, C.S.E.B. District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Rohit Sharma, Advocate.
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

08.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 906/2018 registered at Police Station – Police Chowki, CSEB Korba District – Korba (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Suman Yadav is about 25 years old and she is resident of village Kumharpara, Korba. On 11/11/2018 near the Gayatri temple at Korba about 7:00 Pm applicant cut her throat by vegetable knife, poured some liquid on her body and tried to ignite with matchstick.
4. As per the MLC report of complainant one incised wound was found in front of neck size 8cmx1cmx1½cm, injury was simple in nature. As per the query report death might be possible due to said injury.
5. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant.
7. Counsel for the applicant further submitted that when the injury was simple in nature, then death was not possible. There is no deep injury thus, story has become doubtful.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
9. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE