

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 790 of 2019**

- Santosh Mandavi S/o Arjun Mandavi Aged About 29 Years R/o Village Boriya, Thana Khadgoan, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Police Station Khadgoan, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

.....Non Applicant

For the Applicant	:	Shri Samir Singh, Advocate
For Non Applicant	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****15.02.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants 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.39/2018 registered at Police Station- Khadgaon, District- Rajnandgaon (C.G.) for the offence punishable under Section 307 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 12.07.2018 applicant caused blow on throat of complainant Pukhraj Potai by axe, he defended himself, thus injury was caused on his right hand.
4. As per the medical papers there was fracture and complainant was admitted in hospital for treatment for more than one month.
5. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, 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. 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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate durign the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul