

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1049 of 2019**

Ramkrishna Tiwari @ Ramu @ Baga S/o Shri Hinchh Lal Tiwari Aged
About 20 Years R/o Siltara, Police Station Dharsiwa, District Raipur
Chhattisgarh, District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Dharsiwa, District Raipur Chhattisgarh

---- Respondent

For the Applicant	:	Shri Suresh Tandan, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****25/02/2019**

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.440/2018 registered at Police Station Dharsiwa, District Raipur (C.G.) for the offence punishable under Sections 294, 506, 325, 307, 34 of IPC and Section 25, 27 of Arms Act.
3. Case of the prosecution, in brief is that on 19/10/2018 about 18.30 hours, near the liquor shop at village Siltara, applicant caused injury on the right leg of complainant Shailesh Puri Goswami by frypan. He had also abused him and gave threatening to kill. As per the MLC report of complainant there was the fracture on right thigh. As per the query report doctor opined that there was the fracture in right leg along with wound, due to bleeding death might have been possible.
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 one criminal case under the excise act has already been registered against the applicant.
6. Counsel for the applicant further submitted that there is no injury on vital part of the complainant, applicant is in jail since 27/08/2018, thus he may be released on bail.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge