

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1099 of 2019

- Vijay Chauhan S/o Ashok Chauhan Aged About 24 Years R/o Sanjaynagar ,talapara ,police Station Civil Line ,tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Stationhouse Officer ,police Station Civil Lines District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant : Shri Dharmesh Shrivastava, Advocate.

For Non-applicant : Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board18.03.2019

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. 867/2018 registered at Police Station – Civil Lines District Bilaspur (C.G.) for the offence punishable under Section 307 of the Indian Penal Code and Sections 25, 27 of the Arms Act.
3. Case of the prosecution, in brief is that on 7/10/2018 at about 7 pm at Sanjay Nagar Bilaspur applicant and coaccused Ashish @Futtu abused complainant, beat him by hands and fists. Ashish @ Futtu caught hold him and applicant caused injury on his head by large knife.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. As per the MLC report of the complainant one incised wound over right parietal area, one incised wound at neck were found, injuries were caused by hard and sharp object. Injury No.2 was simple in nature.
7. As per the certified copy of order dated 18.01.2019 passed by the Sixth Additional Sessions Judge, Bilaspur complainant appeared before the Court and filed compromise petition.
8. Looking to these 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 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 during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE