

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1366 of 2019

- Jitendra Bharti S/o Mohan Bharti Aged About 21 Years R/o Nandni Road, Near Contry Liquor Shop, Poliec Station Chhawani, Tahsil And Distict- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District- Magistrate, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. AC Sahu, Advocate.
For Non-applicant	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

12.03.2019

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. 828/2018 registered at Police Station – Chhawani, District - Durg (C.G.) for the offence punishable under Sections 294, 506, 324 of the Indian Penal Code and Sections 25, 27 of the Arms Act.
3. Case of the prosecution, in brief is that on 05.11.2018 at about 15 hours at Santoshi para Camp Bhilai applicant abused complainant Deepak Kumar Gupta and caused injuries near his left neck by knife. As per the MLC report of the complainant one penetrating wound size 3cmx2cm was found.
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. 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE