

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1729 of 2019**

- Makardhwaj Mehar S/o Chatru Ram Mehar Aged About 42 Years R/o Jholpathar, P.S.- Raja Khariyar, District- Nuapada (Orissa) Current Address- Manjhipara Devbhog, P.S. Devbhog, District- Gariyaband, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Devbhog District- Gariyabad, Chhattisgarh

.....Non Applicant

For the Applicant : Shri K. Tripti Rao, Advocate

For Non Applicant : Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****18.04.2019**

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.90/2018 registered at Police Station- Devbhog, District- Gariyabandh (C.G.) for the offence punishable under Sections 307 and 341 of Indian Penal Code, 1860.
3. Case of the prosecution, in brief is that complainant Sobhagani is the wife of applicant. On 13.07.2018 at about 11:00 am between Budhhupara and Sonamundi, applicant caused injuries on hands, neck and chin of the complainant by knife. As per the MLC report of the complainant Sobhagani, incised wound and stab wound were found on her body. As per the query report injury No.1,2,4 and 5 of the complainant were life threatening.
4. 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.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. In the case in hand, the complainant has filed an affidavit in support of bail application of applicant.
7. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the bail application is allowed, it is directed that if applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned trial Court, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul