

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1821 of 2019**

Saroj Banjare S/o Sabad Banjare Aged About 45 Years R/o Village Levai, Police Station Balouda, Tahsil Balouda, District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Bankimongra , District Korba Chhattisgarh., District : Korba, Chhattisgarh .

---- Respondent

For the Applicant	:	Shri Nitesh Shriwas, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**03/04/2019**

1. This is the second bail application under Section 439 of the CrPC.
2. Earlier first bail application was rejected by this Court on merits on 22/01/2019 in MCRC No 8246/2018.
3. Case diary not produced. Counsel for the applicant filed photocopy of the charge-sheet for the perusal of this Court.
4. Applicant has been arrested in connection with the Crime No.234/2011 registered at Police Station Bankimongra, District Korba (C.G.) for the offence punishable under Section 307 of IPC.
5. Case of the prosecution, in brief is that complainant Durga Bai is the wife of the applicant. On 10/12/2010 about 1.00 p.m. at Banki Mongra in his house, applicant caused injuries on the abdomen of the complainant by knife.
6. Learned counsel for the applicant submits that now the prosecutrix has been examined and she turned hostile, thus he may be released on bail.
7. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
8. As per the certified copy of the statement of the complainant Smt. Durga Bai dated 14/02/2019 recorded by the trial court, she turned hostile and

stated that she was running away, she fell and sustained injury. She denied the suggestion that her husband caused injury on her abdomen by knife.

9. These circumstances are just and sufficient to enlarge the applicant on bail in the second round of litigation, thus bail application is allowed and 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 Court with the condition that he shall 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.
10. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde