

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2524 of 2019

- Rajbhan Singh S/o Dhan Singh Aged About 27 Years Caste Gond, R/o Village Banji, Patelpara Police Station Jhagarakhand, Tahsil Manendragarh, District Korea Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Jhagarakhand, District Korea Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Akhtar Hussain, Advocate.
For Respondent	:	Mr. Priyanshu Gupta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

21/08/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.174/2018 registered at Police Station– Jhagarakhand District– Korea(C.G.) for the offence punishable under Sections 307,& 326 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 08.10.2018. No case is made out against this applicant for commission of offence under Section 307 of IPC. All the injuries caused to the victim are simple in nature. Charge-sheet has been filed, after completion of investigation and there is no opinion of any doctor, that

the injuries caused were grievous in nature, therefore, he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that this applicant has stabbed and caused a number of injuries to the victim by using a knife, therefore, the offence of attempt to murder is made out, therefore, the application be rejected.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident on account of some dispute this applicant assaulted the victim Ramkali with a knife, on her head, face & hand causing number of injuries. Hence, this case.
6. Considering the entire material present in the case diary, there is no report available regarding any of the injuries caused to the victim that the injuries were grievous or fatal in nature. The applicant is in jail since about 10 months and the case is now pending for trial, therefore, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge