

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2530 of 2019

- Mukesh Kumar Sahu, S/o Amar Singh, Aged About 22 Years, Occupation Post - Graduation, R/o Bade Seepat, Tahsil-Malkharoda, District-Janjgir-Champa Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The District Magistrate, Janjgir, District Janjgir-Champa Chhattisgarh.

---- Respondent

For Applicant	:	Mrs. Hamida Siddiqui, Advocate.
For Respondent/State	:	Mr. Avinash K. Mishra, PL.
For Objector	:	Mr. Ashish Gupta, Advocate.

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

08/07/2019

1. This is first bail application of the applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him as he has been arrested by the police in connection with Crime No.69/2019 registered at Police Station–Malkharoda, District–Janjgir-Champa (C.G.) for the offence punishable under Sections 307, 452 & 354 (d) of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant and the victim were in relation for the last four years which was objected by the family members of the victim. False allegations have been made in the FIR lodged, whereas the fact is that it was victim herself who made an

assault on the applicant and grievously injured him because of which the applicant had to remain in hospital from 11.3.2019 to 20.3.2019. Hence, it is prayed that 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 there is clear statement of the victim herself that at the time of incident, the applicant assaulted her with knife and caused three injuries on her abdomen and thereafter using the same knife, the applicant assaulted himself. Therefore, considering the statement of the victim in this case, no case is made out for grant of regular bail.
4. Learned counsel for the objector adopts the arguments advanced by the State counsel and submits that the applicant was constantly harassing the victim of this case from quite some time and thereafter on the date of incident he has inflicted grievous injury to the victim for which she remained hospitalized for 23 days, hence, application be rejected.
5. Heard both the parties and perused the case diary.
6. Case of the prosecution in brief is this, that since last four years applicant was continuously stalking and harassing the victim. On the date of incident at about 9.30 am. The applicant came to the house of the victim and tried to engage in conversation with her. When the victim did not show any willingness, the applicant took out a knife and assaulted thrice on her abdomen causing deep stab injuries and thereafter the applicant assaulted himself on his abdomen and injured himself.
7. Perusal of the case diary shows that there is statement of witnesses of the incident that applicant had in the incident has

caused injuries to himself also. The victim in this case has suffered grievous injuries, which were dangerous to life, as a result she has to remain hospitalized for 23 days.

8. After overall consideration, I do not feel incline to allow the application of this applicant.
9. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha