

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2816 of 2019**

- Mehilal S/o Late Ramprasad Aged About 70 Years R/o Village Tugwa, Chowki-Balangi, Police Station Raghunathnagar, District Balrampur-Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Chowki-Balangi, Police Station Raghunathnagar, District Balrampur-Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicant : Shri R.V. Rajwade, Advocate.

For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****09.05.2019**

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. 64/2018 registered at Police Station – Chowki Balangi, Raghunathnager District – Balrampur -Ramanujganj (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 02.09.2018 at about 6 pm in village Tugwa applicant caused injury on the abdomen of the complainant Alok Khairwar by arrow. As per the MLC report one sharp cut injury was found on the abdomen near the navel point of the complainant. As per the query report the Doctor has opined that if the complainant could not have got proper treatment he might have died.
4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, he further submitted that the alleged act of the applicant is in exercise of private defence, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE