

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3569 of 2019**

Jai Singh Mandavi S/o Rajendra Mandavi Aged About 19 Years R/o Vinoba Bhave Nagar Near Pani Tanki, Rajatalab, Police Station Civil Lines, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Civil Lines, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Syed Imtiaz Ali, Advocate.
For the Respondent/State : Shri Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****09.07.2019**

Heard.

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.689 of 2018, registered at Police Station Civil Lines, District – Raipur, Chhattisgarh for the offence punishable under Section 307/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 13.11.2018 and has been falsely implicated in this case. No case is made out against the applicant for the offences under Section 307 of the IPC but even if it is taken as it is, then it would be an offence under Section 304

of the IPC only. Similarly placed co-accused – Pawan Yadav @ Nanu has been granted bail by this Court. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that this applicant was the main assailant in this case. Hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for 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 alongwith co-accused Pawan Yadav assaulted victim – Rishabh Ranglani with a knife causing injuries on his body.

6. On perusal of the medical examination report of the injured victim, it is found that the injuries caused to the victim have been reported to be simple in nature. Hence, for these reasons, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi