

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3610 of 2019**

Shaikh Ishrail S/o Shaikhdin Mohammad Aged About 25 Years Panchsheel Nagar, Ward No. 1, Balodabazar, District- Balodabazar, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- City Kotwali, Balodabazar, District- Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Respondent

For the Applicant : Shri Hemant Gupta, Advocate.
For the Respondent/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.07.2019**

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.301 of 2019, registered at Police Station – City Kotwali, Baloda Bazar, District – Baloda Bazar - Bhatapara, Chhattisgarh for the offence punishable under Sections 324 and 506 of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

2. Learned counsel for the applicant submits that the applicant is in jail since 15.5.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. 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.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date and time of incident, this applicant and the complainant both were having drinks in the garden. At that time, a dispute arose between them regarding some money because of which, the applicant got enraged and he assaulted the complainant with a long knife causing injuries to him after threatening to cause his death. Hence, this case.

6. Considering the material present in the case-diary and also considering the fact that the injuries found on the body of the complainant are simple in nature and the applicant has no criminal antecedents, I feel inclined to grant bail to the applicant in this case.

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

8. It is directed that applicant shall be released on bail on his 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