

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4334 of 2019

- Jahir Khan S/o Rasid Khan, Aged About 39 Years, R/o Village Bandoura Tahsil and Police Station Kawardha Rev. & Civil District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Police Station Kawardha, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

----Non-applicant

For Applicant – Shri Basant Dewangan, Advocate.

For Non-applicant/State – Shri Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-08-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 13-04-2019 in connection with Crime No.183/2019 registered at P.S. - Kawardha, District Kabirdham, Chhattisgarh for the offence under Section 294, 506(B), 307 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 13-04-2019. No case is made out against the applicant for commission of offence under Section 307 of the IPC. The examining doctor has very clearly reported that the injury caused to the victim was not fatal in nature. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident this applicant assaulted victim Basant Kaushik with a knife causing him one stab injury on his abdomen. Hence, this case.

6. Considered on the entire material present in the case diary. The victim had remained hospitalized only for four days and the doctor has reported that the injury caused to the victim was not fatal in nature. Therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge