

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4347 of 2019**

Ravi Markam S/o Shri Indal Markam Aged About 25 Years R/o Village Jagatakapa, Police Station City Kotwali Mungeli, Civil And Revenue District- Mungeli, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- City Kotwali Mungeli, Civil And Revenue District- Mungeli, Chhattisgarh.

---- Respondent

For the Applicant : Shri Vipin Singh, Advocate.
For the Respondent/State : Shri Sanjay Pathak, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.08.2019**

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.310 of 2019, registered at Police Station – City Kotwali, Mungeli District – Mungeli, Chhattisgarh for the offence punishable under Sections 294, 323, 506 and 326/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 8.5.2019 and has been falsely implicated in this case. The MLC report reflects that the injury was caused by hard object, therefore, the offence

under Section 326 of the IPC is not made out. 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 of incident, because of some previous dispute this applicant abused, threatened and assaulted victim – Itwari Bai with an axe on her body which resulted in fracture of her skull and also caused simple injuries to husband of Itwari Bai.

6. Considering the fact that the MLC report does not show the injury to victim – Itwari Bai was caused by any sharp-edged weapon and there is no requirement for detention during the pendency of trial against the applicant, 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