

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4640 of 2019

- Suresh Netam @ Bhuru S/o Ratiram Netam Aged About 36 Years By Caste Gond, R/o Devdongar, Tahsil Narharpur, District- Kanker, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Narharpur, District- U.B. Kanker, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Parag Kotecha, Advocate.

For Non-applicant/State : Mr. Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-09-2019

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 26.05.2019 in connection with Crime No.53/2019, registered at Police Station– Narharpur, District- U.B. Kanker, Chhattisgarh for offence punishable under Sections 450 and 307 of Indian Penal Code.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 26.05.2019. The trial against the applicant is going on in which the victim of the case examined, who has turned hostile, therefore, nothing is left in the prosecution against the applicant. Hence, it is prayed that he may be granted bail.
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, because of some dispute, assaulted on the victim- Viraj Bai with an axe causing injuries on her both hands. Hence, this case.
6. Perused the certified copy of deposition of the victim- Viraj Bai, which is filed along with the petition, it appears that she has not supported the prosecution case, therefore, looking to this development, 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.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge