

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5030 of 2019**

Lavkush Jaiswal S/o Late Shri Sadaram Jaiswal Aged About 20 Years R/o Chingrajpara, Police Station Sarkanda, Tahsil And District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Sarkanda, District Bilaspur Chhattisgarh.

---- Respondent

For the Applicant : Shri C.K. Kesharwani, Advocate.
For the Respondent/State : Shri Neeraj Pradhan, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****28.08.2019**

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.475 of 2019, registered at Police Station – Sarkanda, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 294, 323, 324, 506 and 326 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 10.6.2019 and has been falsely implicated in this case. No case is made out against the applicant for commission of offence under Section 326 of the IPC according to the injury report of the victim. After completion of investigation, the charge-sheet has been filed. 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, this applicant abused, threatened and then assaulted the victim with a shaving blade causing injuries on her body because of which, the victim had to remain hospitalized for three days regarding which, FIR has been lodged.

6. After considering the facts and circumstances of this case and also considering the fact that the case is now pending for trial before the trial Court, therefore, 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