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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5448 of 2019**

Keshav Sharma, S/o. Gani Sharma, (wrngly mentioned the name of the father of the ap plicant as Mani Sharma in the cuase title of the rejection order), aged About 26 Years, R/o. Village Baba Ghatholi, Post Office and Police Station -Bemetara, District Bemetara, Chhattisgarh. Present Address R/o Tatibandh Basti, Sahu Para, Police Station Amanaka, District Raipur, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh, Through : The Station House Officer, Police Station Kabir Nagar, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Mandavi Bhardwaj, Advocate
For Respondent/State	: Mr. Priyanshu Gupta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**03/10/2019**

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.139/2019, registered at Police Station – Kabir Nagar, District – Raipur (C.G.) for the offence punishable under Section 307, 294, 506 (B) of the Indian Penal Code and Section 25/27 of Arms Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 09.05.2019. Charge-sheet in this case been filed and this applicant has not committed any offence. The complainant has also been examined in the trial and he has not supported the prosecution case. Therefore, it is prayed that the applicant may be enlarged on

regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident this applicant assaulted the complainant Felikas Masih with sword 5-6 times causing injuries to him with an attempt to cause his death.
6. Considered on the submissions made and the contents of the case diary. Certified copy of the deposition of the complainant is filed along with the application, which shows that the complainant has not supported the prosecution case, therefore, looking to this development, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge