

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6831 of 2019**

- Jitendra Singh Chouhan S/o Ramkaran Singh Aged About 50 Years Caste Kshatriya, R/o Linepara, Sukma, Police Station, Tahsil And District Sukma Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Sukma, District Sukma Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Praveen Dhurandhar, Advocate.
For Respondent	:	Mr. Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/12/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 19/2019 registered at Police Station - Sukma, District Sukma (C.G.) for the offence punishable under Section 307 of IPC.
- The prosecution story in brief is that on 04.02.2019, injured Sumitra Chouhan was getting ready for going to her parent's house, at that time, applicant, who is the husband of injured, assaulted on her head and face with the help of hammer. On the basis of that, after investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that complainant has not supported the prosecution case before the trial Court and turned hostile. He further submits that applicant is jail since 05.02.2019, there

is no previous antecedent against him, therefore, the present appellant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the fact that the complainant has not supported the prosecution case and turned hostile, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge