

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9725 of 2018

- Prashant Singh @ Dappi S/o Shri Vishnu Singh Aged About 23 Years R/o Village- Jorawa Patthartal, Police Station- Masturi, Civil And District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Masturi, Civil And Revenue District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant	: Shri P.M. Shriwas, Advocate.
For Non-applicant	: Shri Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 432/2018 registered at Police Station – Masturi, Civil And Revenue District- Bilaspur (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Jitendra Singh is 35 years old. He was resident of Jorwapathatal. Applicant and complainant were fast friends. Earlier on 18.09.2018 complainant abused and beat the applicant on account of drinking and eating of him with his opponent Rakesh Singh. Thereafter, applicant caused injury on left side of the head of the complainant by axe. As per the medical paper fracture was found on right occipital bone with lacerated wound size 7cmx1cmx1cm, injury was found grievous in nature.
4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Counsel for the applicant further submitted that complainant reached in the house of the applicant and abused him, thus he may be released on bail.
7. Looking to the facts and circumstances of the case, looking to the prima facie injury of the complainant, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE