

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9936 of 2018**

Omprakash Thakur S/o Gopal Singh Thakur Aged About 23 Years R/o Village Chhatwan, Thana- Raja Devri, District Baloda Bazar- Bhatapara Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through Police Station Raja Devri, District Baloda Bazar- Bhatapara Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Samir Singh, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****18/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.39/2018 registered at Police Station Raja Devri, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 294, 506 B, 323, 307 of IPC.
3. Case of the prosecution, in brief is that on 29/08/2018 at about 2 p.m. at village Chhatwan applicant abused complainant Manoj Kumar caused injuries on his body by bamboo-stick. As per the MLC report of complainant one lacerated wound on forehead, two lacerated wound on head, one abrasion were found. As per the X-ray report of complainant no fracture was seen, as per the NCCT head no significant abnormality was found.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge