

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 462 of 2019**

- Loknath Kurrey S/o Shri Beersai Aged About 30 Years R/o Gram Patrapali, P.S. And Tehsil Baikunthpur, District- Koriya, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through The Police Station Baikunthpur, Koria, District- Koriya, Chhattisgarh

---- Respondent

For Applicant	:	Shri Manish Sharma, Advocate
For Respondent/State	:	Shri Ghanshyam Patel, GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****31/01/2019**

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 28.08.2018 in connection with Crime No.141/2018 registered at Police Station Baikunthpur, District Koria (CG) for the offence punishable under Sections 341, 294, 506, 323, 326 & 307 IPC.
2. As per the prosecution case, on 13.08.2018 the victim Kamlavati was attacked by the present application because of the previous enmity and was assaulted with spade, which was enough to cause her death and the X-ray was conducted, wherein it was found that she had a fracture on the ribs in the scapula.

3. The first bail application bearing M.Cr.C. No.7415 of 2018 was dismissed as withdrawn on 30.10.2018 with liberty to repeat after filing of the charge-sheet.
4. Learned counsel for the applicant submits that now the charge-sheet has been filed and the nature of injury which is been reported is not dangerous for life and the applicant is in jail since 28.08.2018, therefore, he may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. I have perused the case-diary documents. Considering the same and also taking into that the charge-sheet in this case has been filed and the applicant is in jail since 28.08.2018, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in 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 trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu