

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 288 of 2021

- Bharatram Nagesh S/o Ghasiram Aged About 45 Years R/o Village Batwahi Police Station And Tahsil Ambikapur District Sarguja Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Lundra, District Sarguja Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Soumitra Kesharwani, Adv
For Respondent-State	:	Mr. Rajendra Tripathi, PL

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

18/03/2021

1. Heard.
2. This is a **second bail** application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.07/2020, registered at Police Station Lundra, District – Sarguja C.G., for the offence punishable under Section 307, 450, 294, 506B, 323, 201 of the I.P.C.
3. Applicant has caused injuries over the person of Bihari Nagesh by means of axe, however, the injured has turned

hostile when he was examined before the trial Court.

4. Applicant's earlier bail application was dismissed with liberty to revive the prayer after examination of the injured or after four months whichever is earlier. This second bail application was filed after expiry of four months but in between the injured has also been examined.
5. *Per contra*, learned State counsel would oppose the prayer for grant of bail.
6. Considering the entire fact situation of the case and for the fact that applicant is in jail since 21.01.2020 i.e., for last more than one year, I am inclined to release the applicant on bail.
7. Accordingly, the second bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount 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.

Certified copy as per rules.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi