

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2276 of 2021

- Sunny Sahu S/o Rakesh Sahu Aged About 19 Years R/o Opp. Thakur Dev Chowk, P.S. Urla, Tahsil And District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P.S. Urla Tahsil And District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Varunendra Mishra, Advocate.
For Respondent/State	:	Mr. K.K. Singh, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

19/05/2021

Heard.

1. This is the *first* bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.108/2020 registered at Police – Urla - Raipur (C.G.) for the offence punishable under Section 307 of the IPC and Sections 25 & 27 of the Arms Act.
2. It is submitted that the applicant has been falsely implicated in this case. No case has been made out under Section 307 IPC against the applicant. He is in jail since more than one year and charge sheet has been filed, hence, it is prayed that he may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant inflicted injury to the victim with the help of knife on

his vital parts regarding which the examining doctor has opined to be grievous in nature, therefore, the applicant is not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, on the date of incident the applicant had some dispute with the complainant/victim and all of a sudden applicant pulled out a knife and inflicted injury on the complainant Avinash Tiwari on his neck and hand. The medical report shows that the injuries inflicted on the complainant are grievous in nature.
6. Considered on the submissions. As the medical report shows that the injury caused to the victim were not fatal in nature, also looking to the length of detention in jail and that there is pandemic situation continuing, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge