

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceedings through Video Conferencing)

M.Cr.C. No. 5101 of 2021

- Deepak Thakur Son of Keval Thakur, aged about 23 years, R/o. Ward No. 14, Sikolabhatha, Near Bajrang Mandir, Durg, Tahsil and District Durg (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : The District Magistrate, Durg, District Durg (C.G.)

---- State/Non-applicant

For Applicants	:	Ms. Smriti Shrivastava, Advocate appears on behalf of Shri Jitendra Gupta, Advocate
For Non-Applicant/State	:	Shri Priyanshu Gupta, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

03.08.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 29.04.2021 in connection with Crime No. 414/2020 registered in Police Station- Mohan Nagar, District Durg (CG) for the offence punishable under Sections 294, 506 & 307 of IPC and Sections 25 & 27 of Arms Act.
2. Allegation against the present applicant is that he assaulted Deepak Sahu (father of complainant) by means of sword as a result of which Deepak Sahu sustained serious injuries on his head.
3. Learned counsel for the applicant submits that the allegation against the applicant is false and fabricated, he has been falsely implicated in this case. He also submits that applicant is in jail since 29.04.2021, charge-sheet has already been filed, due to Covid-19 pandemic, conclusion of the trial is likely to take some time, therefore, he may be granted bail.

4. On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that applicant has 11 criminal antecedents.
5. Considering the facts and circumstances of the case, looking to the nature of allegation against the applicant that he assaulted injured Deepak Sahu by sword as result of which injured sustained injury on his head, after assaulting the injured, the applicant was absconded, the incident happened on 27.12.2020, many efforts made by the police, the applicant was arrested on 29.04.2021, the fact that as per case diary, there are 11 criminal antecedents of the applicant as stated by the State counsel, without expressing any opinion on merits of the case, this Court is of the opinion that present is not a fit case for releasing the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-
(Gautam Chourdiya)
Judge