

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5202 of 2021**

Jugeshwar Xalxo S/o- Mannu Xalxo Aged About 60 Years R/o Navadih,
Police Station - Chando, District - Balrampur-Ramanujganj CG

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police
Station - Chando, District Balrampur – Ramanujganj, CG

---- Non-applicant

For applicant	Mr. Hari Om Rai, Adv.
For non-applicant/State	Mr. Ankur Kashyap,

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****11-11-2021**

1. As per applicant, this is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 29/2021 registered in police station Chando, Distt. Balrampur-Ramanujganj, (CG) for offence punishable under 307 and 506 of the IPC.
3. Brief facts of the case are that on 9-6-2021, applicant attacked on complainant with axe and caused injury on his head due to a land dispute, and threatened to kill him. Hence present crime has been registered against applicant and after investigation, charge sheet has been filed under Section 307 and 506 of the IPC.
4. Counsel for the applicant argued that the applicant has been falsely implicated in this case. Injury caused to the complainant was simple in nature, no bony injury is there, even complainant was not admitted in hospital for a single day, charge sheet has been filed. Applicant is in jail since 9-6-2021. Hence, he may be enlarged on bail.
5. On the other hand, the State Counsel opposed the bail application and submitted that as per opinion of the doctor, if the complainant would not have been treated in time, he would have died due to the injury caused by the applicant. Trial is going on, hence, the application may be rejected.

6. I have heard counsel for both the parties and perused the case diary and the material available on record.
7. Considering the facts and circumstances of the case, nature and gravity of offence, also taking into consideration that the applicant is in jail since 9-6-2021, charge sheet has been filed, trial may take more time, I feel inclined to allow the bail application. Therefore, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.
8. CC as per rules.

Sd/-
(N.K. Chandravanshi)
Judge