

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5709 of 2021**

- Pramod Bishwal S/o Shri Banicharan Bishwal Aged About 42 Years Resident Of 11/A, Sadak No. 8, Sector 4 Bhilai Nagar, District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through District Magistrate Durg, Police Station Vaishali Nagar, District Durg, Chhattisgarh.

---- Respondent

 For Applicant : Shri TK Jha, Advocate
 For respondent/State : Shri BL Sahu, Panel Lawyer

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****23.11.2021.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 12.7.2021 in connection with Crime No.155/2021 registered at Police Station Vaishali Nagar, Distt. Durg (C.G.), for the offence punishable under Section 307 of the Indian Penal Code, 1860 (for short 'IPC').

2. Brief facts of the case are that on 09.7.2021 at about 10.15 pm, the applicant attempted to commit murder of Sujal Sharma by intentionally running over his car upon him. However, Sujal Sharma escaped himself by jumping from the spot.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, both the parties are known to each other and due to old animosity, present crime has been registered against the applicant by mother of alleged victim Sujal

Sharma. He would next submit that no injury has been caused to said Sujal sharma, the applicant is in jail since 12.7.2021, charge sheet has been filed, he is the permanent resident of Distt. Durg and considering the above facts, he may be enlarged on bail.

4. On the other hand, learned counsel for the State while opposing the bail application submits that the applicant is an habitual offender, five cases have been registered against him in various police stations of Distt. Durg and present case is of attempt to murder, hence, he is not entitled for grant of bail.

5. I have heard learned counsel for the parties, perused the case diary and the material available on record.

6. Considering the facts and circumstances of the case, nature and gravity of offence and also taking into consideration that no injury has been caused to the alleged victim, detention period of the applicant, charge sheet has been filed, I feel inclined to allow the bail application. Therefore, the application under Section 439 of the CrPC is allowed. It is ordered that if 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.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE