

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6250 of 2020

- Shishir Mazumdar @ Ronney S/o Anup Kumar Mazumdar, Aged About 32 Years R/o Sector 6, Street No. 40, Block No. 3, Near Kali Bari, Bhilai, Police Station Bhilai Nagar Tahsil And District - Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through - Police Station Supela, Bhilai, District Durg Chhattisgarh.

---- Respondent

For Applicant : Mr. M.P.S. Bhatia, Advocate

For Respondent : Ms. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.01.2021

1. The applicant has preferred First Bail application u/s 439 of Cr.P.C. for grant of regular bail as he is arrested on 15.11.2019 in connection with Crime No. 1106/2019 registered at Police Station Supela, District Durg for offence punishable under sections 307 of the IPC r/w section 25, 27 of the Arms Act, 1959.
2. As per the prosecution case, a dispute arose on the issue of custody of children whereby the applicant assaulted his wife namely Prerna wherein her left hand was amputated.
3. Learned counsel for the applicant would submit that the applicant is in jail since 15.11.2019 and dispute arose because of custody of children. He further submits that there was no intention and the applicant who is the father was not allowed to meet his son therefore the incident happened in the spur of the moment. Therefore, he prays that the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim and the eye witness.
Considering the fact the way the offence has been committed, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti