

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6277 of 2021**

Kamlesh Das S/o Late Kumar Das, Aged About 22 Years Caste
Panika, R/o. Village Chhutki, Chhurikhurd, Tahsil Katghora, District
Korba CG

---- Applicant

Versus

State of Chhattisgarh Through Station House Office, Police Station
Katghora, District Korba, CG

---- Non-applicant

For applicant	Mr. Aditya Khare, Adv.
For non-applicant/State	Mr. Shrikant Kaushik, PL.

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****23-11-2021**

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. 310/2020 registered in police station Katghora, Distt. Korba, (CG) for offence punishable under Section 323, 294, 506 and 307 of the Indian Penal Code.
3. Brief facts of the case are that due to previous enmity, applicant abused husband of complainant in filthy language and assaulted and injured him by stabbing knife upon his stomach and attempted to murder of husband of complainant.
4. Counsel for the applicant argued that there was previous animosity between the applicant and injured, injury caused to the injured is not grievous in nature, he was admitted in hospital only for six days, thereafter he was discharged, applicant is in jail since 19-5-2021, he is permanent resident of Korba district, charge sheet has been filed, hence, he may be released on bail.
5. On the other hand, the State Counsel opposed the bail application submitting that injury was caused by the applicant on vital part (abdomen) of the body of victim and doctor opined that it was dangerous to life. Hence the bail application is liable to 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, medical report, detention period of the applicant, as submitted, he is permanent resident of district Korba, 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