

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6926 of 2021**

- Rama Thakur @ Ramadhar Shriwash S/o Shri Vishal Shriwash Aged About 42 Years R/o Imaliduggu Korba, Tehsil And District Korba, Chhattisgarh.

---- Applicant***Versus***

- State Of Chhattisgarh Through Station House Officer, Kotwali Korba, Police Out Post- Manikpur, Korba, District Korba, Chhattisgarh.

---- Respondent

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For Applicant	: Shri Rishi Sahu, Advocate
For respondent/State	: Shri Sameer Oraon, Govt. Advocate

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Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****12.11.2021.**

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 19.6.2021 in connection with Crime No.536/2021 registered at Police Station Kotwali Korba (Police Outpost Manikpur) Distt. Korba (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 18.6.2021 at about 1.00 pm when complainant Arjun Karsh went to the barbar shop of the applicant for hair cutting at that time the applicant along with one Raju Patel came there in a drunken condition. The complainant asked him to cut his hair, at that time, the applicant caused injury on his neck by a razor saying that the complainant talks too much

and after shaving does not give money, thereby the applicant committed attempt to murder of the complainant. On report, being lodged by the complainant, present crime was registered against the applicant and after investigation, charge sheet under Section 307 IPC has been filed against the applicant.

3. Learned counsel for the applicant submits that it is totally false and fabricated case and actual incident is that the applicant was present in his barbar shop and in the afternoon the complainant came there in a drunken condition and created unnecessary dispute, attacked the applicant with razor and when the applicant tried to defend himself during the altercation, the complainant got himself injured. He further submits that nature of injury suffered by the complainant is not grievous. He would next submit that charge sheet has been filed and the applicant is in jail since 19.6.2021, hence the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for both 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, nature of the injury caused by the applicant, his detention period and also taking into consideration that the applicant is in jail since 19.6.2021 and charge sheet has already been filed and there is no chance of tampering the evidence by the applicant, I feel inclined to allow the bail

application. Therefore, the application under Section 439 of the CrPC 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.

Certified copy as per rules.

SD/-

(N.K. Chandravanshi)
JUDGE