

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9169 of 2021**

Aatmaram Kurre S/o Nanhe Ram Kurre, aged about 37 years, R/o. Village Mohmela,
Police Station Arang, District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh through Station House Office, Police of Police Station Gidhpuri,
District Balodabazar-Bhatapara (C.G.).

---- Respondent

For Applicant	:	Mr. Yogesh Kumar Chandra, Advocate
For Respondent	:	Ms. Reena Singh, PL

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

17/12/2021

Heard.

1. The applicant has preferred this first bail application under Section 439 of Code of Criminal Procedure, 1973 in connection with Crime No. 80/2021 registered at Police Station- Gidhpuri, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 307 of the IPC.
2. Prosecution story in brief is that on 20/10/2021 at about 1:00 in the night, when Jamuna Bai (wife of the applicant), Devkunar mother-in-law of the applicant and Raju Purena, father-in-law of the applicant were sleeping in the house, the applicant, who was also sleeping there, caused injuries on their head by a iron pipe.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submits that the mental condition of the applicant was not well at the time of incident and immediately after the incident the police official hospitalized the applicant at State Mental Health Hospital,

village Sendri on 21/10/2021 who later on discharged from there on 02/11/2021 after treatment. He further submits that the applicant is in jail since 10/11/2021 and trial is likely to take some time, therefore, 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 the parties.
6. Considering the facts and circumstances of the case, particularly the medical condition of the applicant at the time of incident was not well and immediately after the incident he was hospitalized for treatment and further that conclusion of trial is likely to take time, without further commenting on other merits of the case, this Court deem it fit to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 5000/- with one surety of the like sum to the satisfaction of the trial Court on following conditions:-
 - i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial;
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial;
 - iv. he shall not involve himself in any offence of similar nature in future;
 - v. while furnishing the bail bonds, the applicant and the person who stand surety shall submit their Aadhar Cards and full-sized colored postcard size photographs mentioning their Aadhar numbers on the same before the trial Court who shall verify the same.

Sd/-
(Deepak Kumar Tiwari)
Judge