

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 9530 of 2021**

- Komal Banjare S/o Narayan Banjare Aged About 20 Years Caste Satnami, R/o Village- Sukhapali, Police Station- Dabhra, Tahsil- Dabhra, District Janjgir-Champa (C.G.)

---- Applicant

**Versus**

- State of Chhattisgarh Through- Station House Officer, Police Station- Dabhra (Wrongly Mentioned As Sakti), District- Janjgir-Champa (C.G.)

---- Non-Applicant

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| For the Applicant | : | Shri K. K. Dewangan, Advocate |
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| For Non Applicant | : | Shri K. K. Singh, G. A. |
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**Hon'ble Shri Justice Narendra Kumar Vyas**

**Order On Board**

**20.12.2021**

1. The applicant has preferred the first bail application under Section 439 of CrPC for grant of regular bail as he is in jail since 28.07.2021 in connection with Crime No.309/2021 registered at Police Station- Dabhra, District- Janjgir-Champa (C.G.) for the offence punishable under Section 307, 34 of IPC.
2. The case of prosecution in brief, is that, on 28.07.2021 at about 10.00 hours, the applicant has inflicted injury upon complainant Tridev with the help of knife with intention to kill the complainant, therefore, offence under Section 307/34 has been registered.
3. Learned counsel for the applicant would submit that no grievous injury has been inflicted to complainant which amounts to cause his death in ordinary course. and he would further submit that co-accused has already been granted bail from trial Court, final report has already been submitted and trial may take some time, therefore, he may be released on bail. He would further submit that the complainant remained in hospital for 2 days and there was no such grievous injury inflicted to him.
4. On the other hand, learned counsel for the State opposes the bail

application and he would further submit that applicant has assaulted the complainant with the help of knife and has caused various injuries to him therefore, he is not entitled to be released on bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. The medical report would show that the applicant has caused grievous injury to the complainant by sharp object.
7. Considering the facts and circumstances of the case, and the fact that applicant is in jail since 28.07.2021 and approximately five months has already been lapsed and the injury caused to complainant is not grievous which may cause to death to him, therefore, I am inclined to enlarge the applicant on bail.
8. Accordingly, the bail application filed by applicant is allowed and it is directed that applicant shall be released on bail on furnishing a personal bond in the sum of Rs.50,000/- with two solvent sureties of Rs.25,000/-each for the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial Court, till disposal of the trial.
9. It is made clear that applicant will not involve himself in any offence of similar nature in future, otherwise bail granted to him shall be liable to be cancelled without further reference to the bench.
10. Certified copy as per rules.

**Sd/-**

**(Narendra Kumar Vyas)**  
Judge