

(2018) 05 CHH CK 0203

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 2763 Of 2018

Omprakash

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: May 23, 2018

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 294, 323, 326, 334, 506
- Code Of Criminal Procedure, 1973 - Section 439
- Arms Act, 1959 - Section 25

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Purnendra Khichariya, Sanjeev Pandey

Final Decision: Allowed

Judgement

1. The applicant has preferred this bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No. 02/2018,

registered at Police Station Newai, District Durg (C.G.) for the offence punishable under Sections 294, 323, 506, 334, 326, 34 of Indian Penal Code

and Section 25 of the Arms Act.

2. The applicant has allegedly caused injuries to the injured Tameshwar by means of sword. The incident happened on account of previous enmity.

The injured has sustained cut-wound on ear lobe.

3. Learned State counsel would oppose the prayer for grant of bail.

4. Considering the entire facts of the case and also the fact that the applicant is in jail since 02.01.2018 and offences are triable before Judicial

Magistrate First Class. The investigation is complete as the charge-sheet has already been filed and there is no criminal antecedent of applicant, this

Court is inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his

executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear

before the trial Court on each and every date given by the said Court.