

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5965 of 2015

Shankar Kashyap, s/o Melan Kashyap, aged about 54 years, r/o village Navagaon Jait, P.S. Lormi, Civil Distt. Bilaspur, Revenue Distt. Mungeli (C.G). ...

Applicant

Versus

State of Chhattisgarh, through Station House Officer of P.S. Lormi, Civil Distt. Bilaspur, Revenue District Mungeli (CG). ...**Non-applicant**

For the applicant	:	Mr. Pallav Mishra, Advocate
For the Respondent	:	Mr. Neeraj Jain, Panel Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24 .11.2015

1. This is an application filed under section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant in connection with Crime No. 285/2015 registered at Police station Lormi, Civil Distt. Bilaspur, Revenue Distt. Mungeli, Chhattisgarh for the offence 294, 506, 323 & 307 IPC.
2. As per the prosecution case, the applicant over the boundary dispute has assaulted his neighbour by means of Tangia whereby the victim sustained three injuries i.e., two are lacerated and one on the upper hip. The injuries were caused by way of Tangia and club thereby the offence is committed.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and all the injuries are simple in nature and the dispute arose between the applicant and brother of complainant on boundary issue and there was no intention to kill. He, therefore, prays for releasing the applicant on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have gone through the case diary and other documents.

6. After going through the documents and having regard to the fact that the assault was made by Tangia which resulted in bone grafting and the complainant was admitted in hospital from 22.06.2015 to 10.08.2015 and has undergone operations and treatment, I am not inclined to release the applicant on bail. Accordingly, the bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao