

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7898 of 2016

Rajkumar Nishad, Aged About 24 Years, S/o Jagat Ram Nishad R/o Village Atari, Police Station Kabir Nagar, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Kabir Nagar, District Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Devershi Thakur, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/12/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.102/2016 registered in Police Station Kabir Nagar, District-Raipur (CG) for offence punishable under sections 452, 294, 323, 506-b, 326 of Indian Penal Code.
2. As per the prosecution case, on 11/10/2016 over a dispute over a land the applicant has assaulted Rishi Nishad who is cousin of the applicant which was enough to cause death.
3. Learned counsel for the applicant submits that injury is only 1cm x 0.5 cm and the counter case was registered against the complainant and the nature of injury inflicted on the thigh it was not enough to cause death, therefore case under section 307 IPC is not made out, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim as also the medical report. Injury appears to have been inflicted on the thigh. Considering the facts of the case and the complainant and the applicant they are related to each other, taking into nature of injury and also for the fact that charge sheet

has been filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE