

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 5236 of 2017**

- Mannu @ Ram Manuj (Wrongly Mentioned In Cause Title Of Ordersheet As Munu) S/o Shri Bholaram, Aged About 21 Years, Caste- Chamar, R/o Village- Kanchanpur, Police Station & Tehsil- Baikunthpur, District- Koriya, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through S H O Police Station- Baikunthpur, District Koriya, Chhattisgarh.

---- Respondent

For applicant	:	Mr. Pushkar Sinha, Advocate.
For respondent/State.	:	Mr. Luv Sharma, Panel Lawyer

(Single Bench : Hon'ble Shri Justice Ram Prasanna Sharma)**Oral order**

(Passed on 21-11-2017)

1. The applicant has preferred this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 12-7-2017 in connection with Crime No. 191 of 2017 registered at Police Station Baikunthpur, District Koriya (CG) for the offence punishable under Sections 307, 294, 323 and 506 of the IPC.
2. The case of the prosecution, in brief, is that on 6-7-2017 at about 8.00 pm the applicant assaulted the complainant Jagatpal with iron rod on his head. As per opinion of the Doctor, injury caused on the head of the complainant is dangerous to life and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant submits that the applicant is in custody since 12-7-2017 and primarily offence under

Section 323 of the IPC was registered, therefore he may be released on bail.

4. On the other hand, learned State counsel opposing the prayer for grant of bail submits that it is a serious case in which assault is caused on vital part of the complainant.
5. I have heard learned counsel for the parties and perused the case diary.
6. Looking to the fact that deadly weapon of iron rod used for commission of offence and further looking to the fact that the applicant assaulted the complainant Jagatpal on his head which is a vital part and as per report of the Doctor, injury is dangerous to life, it appears to be primarily a case under Section 307 of the IPC and looking to the direct evidence and medical evidence against the applicant, this court is of the view that it is not a fit case where the applicant can be released on bail.
7. Accordingly, the application of the applicant for grant of bail is rejected.

Sd/-

(Ram Prasanna Sharma)
Judge

Raju