

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1469 of 2017

- Manoj Kumar S/o Manglu Pando, Aged About 25 Years R/o Village (Murma) Thana Patna, District Korea Chhattisgarh

---- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Patna, District Korea Chhattisgarh

---- **Respondent**

For Applicant : Mr. Sachin Singh Rajpur and Mr.
Sangeet Kumar Kushwaha, Advocates

For Respondent/State : Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22-03-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 24-1-2017 in connection with Crime No. 8 of 2017, registered at Police Station Patna, District Korea (CG) for the offence punishable under Sections 294, 506, 323, 326 and 336 of IPC.
2. As per prosecution case, a report was made by the prosecutrix that on 7-1-2017 at 8.00 pm., when she was going to home along with her husband, the applicant abused them, threatened to kill and hit them by way of slingshot whereby grievous injury was caused to right eye of the husband of the prosecutrix and eventually he became blind and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant and both complainant and her husband belong to Tribal, slingshot cannot be aimed at particular place, it was in the night and by incident it was hit on the right eye of the husband of the prosecutrix and there was no intention to cause such injury. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 24-1-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case in which background the incident happened and the injury was made by slingshot and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 24-1-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

