

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4133 of 2017

Kishun Singh Paikra S/o Munshiram Paikra, Aged About 35 Years R/o Village Bandha, Police Station Lakhanpur, Tahsil Lakhanpur, District Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Civil Lines, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Vaibhav Goverdhan, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.227 of 2017 registered in Police Station- Civil Line, Raipur, District - Raipur (C.G.) for alleged commission of offence under Sections 323 & 457 IPC.
2. Case of the prosecution, in brief, is that the applicant entered the house of the complainant and assaulted with the help of rod.
3. Learned counsel for the applicant would submit that looking to the background in which the dispute arose and that only small injury has been caused on the complainant and the applicant not being a habitual offender, at this stage, he may be granted bail.
4. On the other hand, learned counsel for the State, opposing the bail application, submits that the applicant entered the house of the complainant and assaulted with a weapon, therefore, prima facie case is

made out against him in view of statement and allegation.

5. Taking into consideration the submissions made by learned counsel for the respective parties, having considered the nature of allegation, particularly the nature of injury and that the applicant is in jail since 11.4.2017, investigation is complete, charge sheet has been filed and that the applicant is not likely to abscond or tamper with the prosecution witnesses, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge