

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1146 of 2018

Inder Giri S/o Munsu Giri Aged About 27 Years R/o Village Ghaghra,
Dudhniyapara, Police Station Pasta, District Balrampur
Ramanujan Chhattisgarh, District : Balrampur, Chhattisgarh
----- **Petitioner**

Versus

State Of Chhattisgarh Through Police Station Pasta, District
Balrampur Ramanujan Chhattisgarh, District : Balrampur,
Chhattisgarh
----- **Respondent**

MCRC No. 1172 of 2018

Munsu Giri S/o Bulchu Giri Aged About 50 Years R/o. Village-
Ghaghra, Dudhniyapara, Police Station-Pasta, District- Balrampur
Ramanujan (C.G.), District : Balrampur, Chhattisgarh
----- **Petitioner**

Versus

State Of Chhattisgarh Through- Police Station- Pasta, District-
Balrampur- Ramanujan (C.G.), District : Balrampur, Chhattisgarh
----- **Respondent**

For respective Applicants : Mr. Vikas Pandey, Advocate.
For State : Mr. Satish Gupta, GA
For Objector in MCRC No. 1172/2018 : Mr. Vikram Dixit, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

20/04/2018

1. Both the applications are being disposed off by this common order as they arise out of the same crime number.
2. The applicants have been arrested in connection with same Crime No. 40/2017 registered at Police Station – Pasta, District- Balrampur- Ramanujan (CG) for alleged commission of offences under Section 294,506(B), 323/34 & 307 of IPC.

3. Case of the prosecution is that the applicants and other accused assaulted the victim Sunil Mishra which resulted in injury on various parts of his body.

4. Learned counsel for the applicant submits that there was no intention to cause death and it was a simple dispute because of the ownership and title of agricultural fields. It is next submitted that one Mahendra Singh granted bail on 23-02-2018 in MCRC NO. 1064/2018. Investigation is complete and charge-sheet has been filed and there is no material to show that the applicants are likely to abscond or tamper with the prosecution witnesses, therefore, the applicants may be granted bail.

4. On the other hand, learned counsel for the State and counsel for objector oppose bail application and submit that applicants gathered on the spot armed with weapons and number of injuries were inflicted on the body of the victim including vital parts which, prima facie, makes out a case.

7. Taking into consideration the role alleged to be played by the applicants, as far as applicant Inder Giri is concerned, I am inclined to grant him bail. The bail of applicant Munshi Giri is rejected.

8. It is directed that the applicant (Inder Giri) 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 Trial Court with following further conditions:

- (i) The applicant (Inder Giri) 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