

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1777 of 2018**

Manglu Parewa S/o Ganso Parewa, Aged About 44 Years R/o Village Kundapali, Outpost Baloda, Police Station Saraipali, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

**---- Applicant**

**Versus**

State Of Chhattisgarh Through The Station House Officer, Outpost Baloda, Police Station Saraipali, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

**---- Respondent**

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|---------------|---|---------------------------------|
| For Applicant | : | Shri Anil Gulati, Advocate      |
| For State     | : | Shri Manish Nigam, Panel Lawyer |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**11/05/2018**

Heard.

The applicant has been arrested in connection with Crime No.388/2017 registered in Police Station - Saraipali, District - Mahasamund (C.G.) for alleged commission of offences under Sections 294, 323, 506, 307 of IPC and Section 25, 27 of the Arms Act.

2. Case of the prosecution is that the applicant assaulted the victim with the help of Iron Belt resulting in incised wound on the head of the complainant and other simple injuries.

3. Learned counsel for the applicant submits that there was no intention to cause death and at the most, some incident of quarrel may have happened. It is further submitted that investigation is complete, charge sheet has been filed and as there is no fracture and bony injury, the applicant may be granted bail.

4. On the other hand, learned counsel for the State opposes bail application and submits that use of iron belt for giving assault on the head itself, *prima facie* shows

the intention to cause death.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the injury said to be found, has not resulted in any fracture and that investigation is complete, charge sheet has been filed, the applicant is in jail since last five months, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. 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 two local sureties 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**