

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No. 4356 of 2018

(Arising out of Crime No. 100/2017 registered at Police station Vishrampur, District Kondagaon, Chhattisgarh, for the offences punishable u/ss 294 & 307 of IPC.

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Jaitram Netam S/o Budhram Netam Aged About 40 Years R/o- Village Kurubhat P.S. Vishrampur, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

--- Petitioner

Versus

State of Chhattisgarh through the Police Station Vishrampur, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

--- Respondent

04.07.2018	Mr. Pravin Tulsyan, counsel for the petitioner. Mrs. Astha Shukla, Panel Lawyer, for the State. This is first bail application. As per the prosecution case, on 08.01.2017 the complainant namely Shyam Lal Netam had gone to discuss about the partition of landed property with the applicant which was objected by the family members of the applicant. Thereafter, the applicant came there and after raising initial objection assaulted the complainant by bricks on his head and when he fell down, the applicant came with an Axe and in order to kill him assaulted on his neck and head whereby he sustained 3 severe injuries. Learned counsel for the applicant submits that the applicant is in jail since 11.11.2017 i.e., more than 8 months and the case u/s 307 IPC is not made out as it is an <i>inter-se</i> dispute between the uncle and nephew, therefore, the applicant may be enlarged on bail.	

R a o	Per contra, learned State Counsel opposes the bail and submits that as many as 3 grievous injuries were caused by the applicant i.e., two on the neck and one on hand of the complainant. On a query being made as to whether the complainant was examined or not, it is stated that the complainant has not yet been examined. Considering the nature of injuries and the fact that the complainant is yet to be examined, I am not inclined to allow this bail application. Accordingly, it is rejected. Sd/- GOUTAM BHADURI JUDGE	
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