

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 5954 OF 2018

Durgesh Kumar Mandavi S/o Sukalu Ram Mandavi, aged about 18 years,
R/o Kutelikala, PS Chhuikhadan, District Rajnandgaon (CG).

... Applicant

Versus

State of Chhattisgarh Through-the District Magistrate, Durg, District Durg
(CG).

... Respondent

For Applicant	:	Shri Praveen Dhurandhar, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31/08/2018

1. This is repeat bail application seeking grant of bail to the Applicant who is in jail since 17.10.2017 in connection with Crime No.155/2017 registered at Police Station Dhamdha, District Durg, for the offence punishable under Sections 307, 354 (d) and 509 IPC. The earlier bail application stood dismissed as withdrawn on 19.03.2018.
2. The allegation as per prosecution is that, the applicant is said to have made a futile attempt of proposing the complainant and on her refusing to accept the proposal, the applicant is said to have assaulted her with an Axe causing grievous injuries.
3. Learned Counsel for the applicant submits that the applicant has remain in jail for more than 10 months and that the nature of injuries sustained by the complainant was not too grievous and that the applicant is a young boy of 18 years, and therefore, the present applicant be given another opportunity to improve his conduct and which can only be done if he is released on bail.

4. The State counsel however opposes the application on the ground that the nature of offence and the manner in which the present applicant had assaulted, there is all possibility of his repeating the same act after his being released on bail.
5. Considering the total facts and circumstances of the case particularly taking note of the age of the applicant which is 18 years, the fact that he has already remained in jail for more than 10 months and also considering the fact that the nature of injuries also was not too grievous, this court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for appearance as and when directed.

Sd/-

(P. Sam Koshy)
Judge