

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.991 of 2020

Chandan Thakur S/o Late Manna Thakur Aged About 20 Years R/o Infront Of
Dasnal, Santoshi Nagar, Tikrapara, Raipur, Tehsil And District - Raipur
Chhattisgarh **---- Applicant**

Versus

State Of Chhattisgarh Through - S.H.O. Police Station-Tikrapara, District -
Raipur Chhattisgarh **---- Respondent**

For Applicant	:	Shri Pushkar Sinha, Advocate
For Respondent/State	:	Shri Alok Bakshi, Additional A.G.

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

Order On Board

18/03/2020

Heard.

1. The applicant has been arrested in connection with Crime No.663 of 2019 registered at Police Station- Tikrapara, District Raipur (CG) for the alleged commission of offence under Section 394, 326 of IPC & 25, 27 of Arms Act.
2. Case of the prosecution is that the victim was assaulted by knife resulting in two incised injury on his thigh and Rs.30,000/- was looted from the victim.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and the injury has not been caused by the applicant and the applicant has been falsely implicated. It is further submitted that investigation is complete, charge-sheet has been filed and the applicant is in jail since 06.11.2019, therefore, at this stage, he may be granted bail on appropriate terms and conditions.
4. On the other hand, learned counsel for the State opposes the bail application and submits that in view of the injury report and the statement of the victim, prima facie case of commission of offence is made out and looking to the weapon used and the injury caused to the victim, the application may be rejected.

5. Taking into consideration overall circumstances of the case, particularly, taking into consideration the nature of injury and also taking into consideration that the injury is not on any vital part and that the investigation is complete, charge-sheet has been filed and the applicant is in jail since 06.11.2019, 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, unless exempted from appearance. Any allegation of repetition of offence shall render the bail liable to be cancelled.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge