

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1346 of 2020

Manoj Bagh S/o Raju Bagh Aged About 22 Years R/o Vidhya Mandir ,
Back Side Of Hanuman Temple , Police Station City Kotwali, Raipur ,
District Raipur , Chhattisgarh. Permanent Resident of Village Biji
Padar , Police Station Raja Kharihar, District Kalahandi, Orissa. ---
Petitioner

Versus

State of Chhattisgarh through Police Station City Kotwali, District
Raipur, District : Raipur, Chhattisgarh **--- Respondent**

For the applicant	:	Mr. Pushkar Sinha, Advocate
For the Respondent	:	Mr. Adil Minhaj, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.05.2020

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 376/2019 registered at Police Station City Kotwali, Raipur (C.G) for the offence punishable under Sections 324 and 307 of IPC.
2. As per the prosecution case, on 31.07.2019 at about 10.30 p.m., the applicant assaulted the complainant by sharp edged article i.e., Scissors on his stomach, as a result of which, the complainant sustained serious injury in his stomach and was hospitalized from 02.08.2019 to 19.08.2019.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and at the most the offence would fall u/s 324 of IPC as initially the offence was registered u/s 324 of IPC and subsequently it was converted to section 307 IPC. He further submits that the applicant is in jail since 31.12.2019 and the

charge sheet has been filed, therefore, he may be enlarged on bail.

4. Learned State Counsel opposes the bail.
5. Having regard to the gravity of allegations levelled against the applicant and the manner in which offence has been committed by the applicant by means of a sharp edged object i.e., Scissors thereby the complainant has sustained injury in his stomach and he was hospitalized from 2.08.2019 to 19.08.2019, I am not inclined to release the applicant on bail. Accordingly, this bail application is dismissed.

Sd/-

**GOUTAM BHADURI
JUDGE**

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