

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5675 of 2020**

- Rakesh Yadav @ Chhotu S/o Santosh Yadav Aged About 23 Years R/o Shyam Nager Sahu Para Camp - 2, Bhilai District Durg Chhattisgarh
- Deepak Yadav @ Golu S/o Santosh Yadav Aged About 27 Years R/o Shyam Nager Sahu Para Camp - 2, Bhilai District Durg Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through - Station House Officer, Chhawani Bhilai District Durg Chhattisgarh

---- Respondent

For Applicants	:	Shri Anurag Jha, Advocate
For State	:	Shri Udhaw Sharma, Govt. Adv.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/11/2020**

Heard.

1. The applicants have been arrested in connection with Crime No.229/20 registered at Police Station – Chhawani, Bhilai, District – Durg (C.G.) for alleged commission of offences under Section 307, 323, 294, 506, 324, 34 of IPC.
2. Prosecution case is that the applicants, with intention to cause death, assaulted the victim in which, the victim sustained several injuries.
3. Learned counsel for the applicant would submit that the allegations against the applicants are exaggerated. There was no intention to cause death. It is next submitted that though it is alleged that club and knife both were used, there is no grievous injury caused by the weapons and most of the injuries are simple in nature and fractures are not caused on the vital part. It is submitted that the applicants are in jail since 07/05/2020.

4. On the other hand, learned State counsel opposes and submits that the victim has clearly stated that the applicants, with intention to cause death, assaulted the victim with the help of club and there are injuries on the forehead and head including a depressed fracture on frontal bone. It is next submitted that there is one injury involving right zygomatic arch showing it was caused by knife.

5. Considering the submission of learned counsel for the parties, particularly the place and number of injuries and that one injury was caused on the frontal bone, I am not inclined to grant bail to the applicants. The application is, therefore, rejected.

In case, trial is not concluded within reasonable period, the applicant may revive bail application.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge