

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6003 of 2020

Mohit Gupta S/o Mohan Gupta Aged About 19 Years R/o Nandai , Kua
Chowk Thana Basantpur, District Rajnandgaon Chhattisgarh ---- **Applicant**

Versus

The State Of Chhattisgarh Through Police Station Kotwali District
Rajnandgaon Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Parag Kotecha, Advocate
For Respondent/State	:	Shri Sameer Oraon, G.A.

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

Order On Board

05/11/2020

Heard.

1. The applicant has been arrested in connection with Crime No.314 of 2019 registered at Police Station- Kotwali, District Rajnandgaon (CG) for the alleged commission of offence under Section 307 read with Section 34 of IPC
2. Prosecution case is that the applicant, with intention to cause death, assaulted the victim with the help of stone resulting in grievous injury on the face including eyes.
3. Learned counsel for the applicant would submit that the allegation against the applicant are exaggerated. There was no intention to cause death. The injuries are not such which are likely to cause death which is simple injury and not serious in nature though there is cut injury. He would further submit that in the medical report, there is nothing to show that the eyes have been permanently damaged.
4. On the other hand, learned counsel for the State submits that on the face and front part repeated injury with the help of stone were caused which clearly shows intention to cause death. He would submit that there is eye damage also.

5. Taking into consideration the submission of learned counsel for the parties, the manner in which assault was made, weapon used and nature of injury, further that the applicant is in jail since 06.06.2020, investigation is complete, charge-sheet was filed, 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 given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge