

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6213 of 2020

Tanik Ram Dhiwar S/o Late Ganesh Ram Dhiwar, Aged About 52 Years R/o
Village - Basin, Police Station - Fingeshwar, District - Gariyaband Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through - Station House Officer, Police Station -
Fingeshwar, District - Gariyaband Chhattisgarh **---- Respondent**

For Applicant	:	Shri K.K. Dewangan, Advocate
For Respondent/State	:	Shri Alok Bakshi, Additional A.G.

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

Order On Board

27/10/2020

Heard.

1. The applicant has been arrested in connection with Crime No.140 of 2020 registered at Police Station-Fingeshwar, District Gariyaband CG for the alleged commission of offence under Section 294, 323, 506, 326 of IPC.
2. Case of the prosecution is that the applicant assaulted the victim, sister-in-law with the help of spade causing fracture injury on the right intermediate sacral crests with involvement of four neural foramina.
3. Learned counsel for the applicant submits that the allegation against the applicant is exaggerated. He would further submit that the applicant did not give any assault. He would next submit that those injury stated to be fracture one, there was no hospitalization.
4. On the other hand, learned counsel for the State opposes the prayer and submits that from the eyewitness account of the victim and the injury report and X-ray report, it has been found that due to assault given by the applicant, the victim sustained fracture injury in her back affecting her lumber movement.
5. Taking into consideration the submission of learned counsel for the parties, nature of weapon used and further taking into consideration the submission that the injury has no result to any longer hospitalization and that investigation is complete,

charge-sheet has been filed, therefore, present is a fit case for grant of bail to the applicant. Accordingly, the bail 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 two local sureties 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