

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6351 of 2020**

- Jagdhari S/o Prem Sai Aged About 22 Years R/o Village Semai, Police Station And Tahsil Pratappur, District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pratappur, District : Surajpur, Chhattisgarh

---- Respondent

For Applicant/s	:	Mr. Rahul Mishra, Advocate.
For State	:	Mr. Alok Bakshi, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****20/10/2020**

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.66/2020 registered at Police Station- Pratappur, District- Surajpur, C.G. for the alleged commission of offence under Sections 294, 506, 323, 324 & 326 of IPC.
2. Prosecution case is that the applicant assaulted the victim with the help of sharp aged weapon resulting in injury on vital parts.
3. Learned counsel for the applicant submits that the medical report does not disclose that any of the injury allegedly caused by the applicant was grievous in nature, therefore, criminal overt act does not travel beyond the scope of Section 324 of IPC. He would next submit that the applicant is in jail since 19.06.2020, investigation is complete and charge sheet has been filed, therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned State Counsel opposes and submits that the applicant used sharp aged weapon to cause injury on vital parts, therefore, it is a case of commission of offence under Section 326 of IPC as well.

5. Taking into consideration the submissions of learned counsel for the parties, particularly taking into consideration the nature of injury and the period of pre-trial detention and investigation is complete, charge sheet has been filed and that the applicant is in jail since 19.06.2020, at this stage, present is a fit case for grant of bail to the applicant.
6. Accordingly, the bail application is allowed. 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 of the like amount to the satisfaction of the Trial Court on the condition that-
 - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) He shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge