

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No. 1812 of 2021

(Arising out of Crime No. 376 of 2019 registered at Police Station City Kotwali, Raipur, District Raipur, Chhattisgarh for the offence punishable u/ss 324 and 307 of IPC)

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 R/o- Village Biji Padar, Police Station Raja Kharihar, District Kalahandi, Orissa., District : Kalahandi, Orissa **--- Petitioner**

Versus

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

26.03.2021	Mr. Alok Pandey, counsel for the petitioner. Mr. Aditya Tiwari, Panel Lawyer for the State. This is third bail application. The first one was dismissed on 13.05.2020 and the second one was dismissed on 27.8.2020. 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. Learned counsel for the applicant submits that out of 15 witnesses, only five witnesses have been examined and the complainant has turned hostile, therefore, no case is made out against the applicant. Per contra, learned State counsel opposes the bail and submits that the I.O., is still to be examined. Earlier on the merit the bail applications have been dismissed. Only for the reason that the complainant has turned hostile, the	

R a o	case of the applicant cannot be considered at this stage as many other witnesses are still required to be examined Considering the fact that the Investigating Officer has not yet been examined till date and I do not find it a fit case to enlarge the applicant on bail. Accordingly, this bail application is dismissed. Sd/- GOUTAM BHADURI JUDGE	
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