

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5193 of 2021**

- Narashu Nishad S/o Johitram Nishad Aged About 25 Years Resident Of Village Podi, P.S. And Tahsil Bilha, District : Bilaspur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Masturi (Police Chowki Malhar), District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vishambhar Prasad Kaushik, Advocate.
For State	:	Mr. Lalit Jangde, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09/09/2021**

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.235/2020 registered at Police Station- Masturi (Police Chowki Malhar), Civil and Revenue District- Bilaspur, C.G. for the alleged commission of offence under Section 307 of IPC and Section 25 of Arms Act.
2. Prosecution case is that the applicant with intention to cause death assaulted the victim resulting in multiple injuries including injury on head and neck.
3. Learned counsel for the applicant would argue that there was no intention to cause death. Because of property dispute, at the spot, incident happened and some injuries said to have been inflicted. He would submit that none of the injuries have been reported to be grievous in nature nor any cut on any vital part of the body endangering the life of the victim and there is no material to show that if the victim was not treated it was likely to cause death, therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned State Counsel opposes and submits that as per version of the victim, multiple injuries were caused on head and neck and even though there is no fracture or deep cut, intention is manifest.

5. Considering the submissions of learned counsel for the parties, particularly taking into consideration the totality of the circumstances, nature of injury and also the period of admission of the victim in the hospital and that so far trial has not been concluded, at this stage, I am inclined to grant 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