

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8264 of 2020

Rinku @ Rupendra Sidar S/o Meghnath Sidar Aged About 19 Years R/o Daldali Chowki Bhanwarpur, P.S. Basna, District- Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- P.S. Basna, Chowki- Bhanwarpur, District- Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Shri Akash Pandey, Advocate
For State	:	Shri Praveen Shrivastava, Panel Lawyer

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

Order On Board

04/03/2021

1. The applicant is arrested in connection with Crime No.488/2020 registered in Police Station- Basna, District- Mahasamund (CG) for alleged commission of offence under Section 294 read with Section 307 IPC.
2. Case of the prosecution, in brief, is that the applicant assaulted victim with the help of knife causing injury on their vital parts. According to the prosecution, the assault was with intention to cause death.
3. Learned counsel for the applicant would submit that even according to the prosecution, the incident was result of a sudden quarrel when the victim came to the house of the applicant and started abusing. The overt act of the applicant cannot be said to be with intention to cause death but only to avoid verbal abuses on the applicant by the victim. He next submits that though the injury has been found on certain vital parts, the victim were discharged from the hospital within 4 and 10 days respectively. Therefore, there does not

appear to be very serious injury on the victim. Learned counsel for the applicant further submits that the investigation is complete and charge sheet has been filed and considering that the applicant is a young boy aged 19 years and is in jail since 20.10.2020, at this stage, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application by submitting that the nature of injuries shows that when the quarrel was going on, the applicant went inside the house, brought a knife and then assaulted on vital parts of the victim including chest, neck as also abdomen causing stab injury.
5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration the alleged criminal overt act, nature of weapon used, the part of the body targeted for assault, present is not a fit case for grant of bail.
6. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge