

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8561 of 2020**

- Saihon Minj S/o Dhiraj Minj Aged About 35 Years Caste Uraon, R/o Village Davna (Tilwaripara), Police Station Jhilmili, Tahsil Bhaiyathan, District Surajpur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through: The Station House Officer, Police Station Jhilmili, District: Surajpur, Chhattisgarh.

---- Respondent

For Applicant	-	Shri R.V. Ram Rajwade, Advocate.
For Respondent	-	Ms. Akshara Amit, Panel Lawyer.

Hon'bel Shri Justice Prashant Kumar Mishra
Order On Board**24/02/2021**

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.120/2018, registered at Police Station: Jhilmili, District: Surajpur (C.G.) for the offence punishable under Section 302, 294, 506, 323 of the Indian Penal Code.
3. Consequent upon a dispute involving sharing the land, the applicant caused injuries over the head of the deceased by means of brick. The incident happened on 19-08-2018 whereafter the deceased went in Coma and died on 22-08-2018.

4. Kavita Toppo W/o deceased Hriday Narayan Toppo informed the police that the applicant caused one single brick blow to the deceased. The document Annexure A-2, which is also part of charge sheet, shows that applicant had also sustained head injury in the same incident.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Considering the entire facts situation of the case; mainly for the reason that applicant has not used any weapon; parties are close relatives and the applicant has also sustained head injury in the same incident as also for the fact that he is in jail since last about two and a half years, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Judge

Amardeep