

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.8919 of 2020

Ashok Bansal S/o Laale Bansor Aged About 26 Years R/o- Ward No. 15,
Schoolpara, P.S. And Tahsil- Manendragarh, Distt.- Koriya, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, P.S.- Manendragarh,
Distt.- Koriya, Chhattisgarh **---- Respondent**

And

MCRC No.8921 of 2020

Dinesh Singh S/o Narendra Kumar Aged About 18 Years R/o Ward No. 22,
Manendragarh, P.S. And Tahsil- Manendragarh, District Koriya, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, P.S. Manendragarh,
Dist.- Koriya, Chhattisgarh **---- Respondent**

For Applicants	:	Shri Akhtar Hussain, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Dy. A.G.

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

Order On Board

02/06/2021

Heard.

1. The applicants have been arrested in connection with Crime No.221 of 2020 registered at Police Station- Manendragarh, District Koriya (CG) for the alleged commission of offence under Section 294, 506-B, 323, 307, 34 of IPC.
2. Both the bail applications are being disposed off by this common order as they arise out of the same crime number.
3. Prosecution case is that the applicants, with intention to cause death assaulting Amit Gupta, Vipin Soni and Gunjan Soni with the help of hard and blunt object resulting in injuries to the victims.

4. Learned counsel for the applicants would submit that the allegations against the applicants of assaulting victims with intention to cause death is an exaggerated version. He would submit that there was no intention to cause death. He would further submit that Amit Gupta, Vipin Soni and Gunjan Soni, they are reported to have sustained some injuries, but there is no fracture injury on the head and Amit Gupta has been assaulted resulting in a fracture in his shoulder. He would further submit that the injuries which are stated to be on parietal part on head of the victims are simple in nature and there are no fracture injury. He would further submit that the applicant Dinesh Singh is in jail since 30.06.2020 whereas the applicant Ashok Bansal is in jail since 21.07.2020 but there is no material progress in trial and till date, not a single prosecution witness has been examined. Therefore, in these circumstances, it is prayed that the applicant may be released on bail.
5. On the other hand, learned State counsel opposes the bail application and submits that the manner in which the applicants are stated to have open assault on three victims clearly shows that there was intention to cause death as all of them have received injuries on their head though none of them is fracture injury. He would further submit that victim Amit Gupta has sustained a fracture injury on the shoulder.
6. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of injuries and further that there are no fracture injury on the head on any of the victims and that the applicants are in jail since 30.06.2020 and 21.07.2020 respectively and that trial has not been concluded and even examination of witnesses has not started, I am inclined to release both the applicants on bail.
7. Accordingly, the application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Vacation Judge