

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.9466 of 2020

Raghunath Kamal S/o Ramcharan Kamal Aged About 40 Years R/o Village
Jara, Police Station Palari, District Balodabazar Bhatapara Chhattisgarh
---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Palari, District Balodabazar Bhatapara Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent/State	:	Shri K.K. Singh, G.A.

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

Order On Board

13/04/2021

Heard.

1. This is repeat application for grant of bail filed by the applicant.
2. The applicant has been arrested in connection with Crime No.313 of 2020 registered at Police Station- Palari, District Balodabazar-Bhatapara (CG) for the alleged commission of offence under Section 294, 323, 307 read with Section 34 of IPC.
3. Prosecution case is that in assault the applicant attacked the victim with the help of knife causing injury in the lower part of abdomen.
4. Learned counsel for the applicant would submit that in the present case, investigation is complete, charge-sheet has been filed and the applicant is in jail since 12.08.2020 and as MLC report of the victim show only simple injury, the applicant at this stage, may be granted bail.
5. On the other hand, learned State counsel opposes the bail application and submits that use of the weapon like knife and giving stab wound on the abdomen, prima facie shows intention to cause death, therefore, even if injury is simple, case of 307 IPC is made out.

6. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that according to MLC, injury is only simple in nature, period of pre-trial detention and that after framing of charges evidence has not started. At this stage, I am inclined to grant bail to the applicant. Accordingly, bail application is allowed.
7. 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 two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant 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 him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge