

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 487 of 2015

Khileshwar Prasad Sahu S/o Late Jeet Ram Sahu Aged About 46 years R/o Village Sothi, Tehsil And P.S. Sakti, District Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Station-Sakti, District Janjgir-Champa, Chhattisgarh

---- Non-applicant

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MCRCA No. 545 of 2015

Laxminarayan Kewat S/o Ram Prasad Kewat Aged About 30 years Occupation : Railway Employee, R/o Village : Sothi, Tahsil & Police Station : Sakti, Revenue & Civil District Janjgir Champa Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : District Magistrate Janjgir-District : Janjgir Champa, Chhattisgarh & Also Through Police Station Sakti, District Janjgir Champa Chhattisgarh

---- Non-applicant

For Applicant in McrC (A) No.487/15	: Shri Ajay Ayachi, Adv.
For Applicant in McrC (A) No.545/15	: Shri Pushpendra Kumar Patel, Adv.
For Non-applicant / State	: Ms. Sunita Jain, Panel Lawyer.

Order On Board

01/07/2015

Both the bail applications are being disposed off by this common order as they arise out of the same crime number.

Heard.

2. The applicants are apprehending their arrest in connection with Crime No.28/15 registered at police station - Sakti, Distt.-Janjgir – Champa, CG for

alleged commission of offence under Section 147, 148, 452, 294, 506, 323, 427 of IPC.

3. The case of the prosecution is that the applicants and other co-accused, 13 in number, assaulted 4 persons. It is alleged that the applicants entered the house of one Phul Bai in the night and she was assaulted.

4. Learned counsel for the applicants submits that a dispute has arisen during election period. There was a fight between two groups and therefore, allegations are exaggerated. According to him, the applicants have also lodged report against Hemant, Butara and other 17 persons.

5. On the other hand, learned State counsel submits that about 13 persons have been specifically named as the assailants who assaulted four persons and one of the injured Phul Bai stated in her statement that one of the applicant entered her house and she was assaulted. It is submitted that Phul Bai sustained injury and she remained in the hospital for four days and the doctor had suggested radiological examination also.

6. The manner in which the offence has been committed and that the applicants assaulted the lady in the night entering her house, I am not inclined to grant bail to the applicants. The applications are therefore rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge