

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 785 of 2015

Rajendra Kumar Sen S/o Kriparam Sen Aged About 51 Years R/o Village Beloura,
Police Station - Magrload, Tehsil - Magarlod, Distt - Dhamtari Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : S.H.O, Police Station - Magarlod, Tehsil - Kurud,
Dhamtari Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikram Singh, Advocate
For Respondent/State	:	Ms. Shubha Shrivastava, Panel Lawyer

Order On Board

26/08/2015

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.25/2015 registered at Police Station-Magarlod District- Dhamtari (C.G.) for alleged commission of offence under Section 147, 186, 427, 332, 353, 342,506B, 452 & 34 of IPC and Section 3 of the Prevention of Damage to Public Property Act, 1984.
2. Case of the prosecution is that the applicant and another accused obstructed the election officers and employees during the conduct of election and counting of votes and also used criminal force and assaulted them.
3. Learned counsel for the applicant submits that he has been falsely implicated.

The applicant was also a contesting candidates in another Gram Panchayat Beloura which is about 3 kms. away from the stated place of incident. Therefore, the presence of the applicant is highly improbable. It is submitted that the applicant had raised complaint against one Mukund Vahane, who happens to be the Presiding Officer at Mohandi booth where the incident happened, the applicant has been falsely implicated.

4. On the other hand, learned counsel for the State opposes prayer for grant of bail and submits that more than one officer and employee, who were deputed on election duty, have named person who assaulted and used force and they have specifically named the applicant also involved in the alleged criminal overt act, in addition to what has been stated by Mukund Vahane.

5. Taking into consideration the submission and the material on record against the applicant, particularly the statement of more than one officer and employee deputed on election duty, I am not inclined to extend the benefit of grant anticipatory bail.

6. The bail application is rejected.

Sd/-

Manindra Mohan Shrivastava

J U D G E