

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1099 of 2015

S. Muneer Khan S/o Waker Sheikh Aged About 45 Years R/o Near Mosque, Kohka, Bhilai, Tahsil And District Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Supela, District Durg Chhattisgarh.

---- Respondent

For applicant – Shri Adity Khare, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/11/2015

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.768 of 2015, registered at Police Station Supela, District Durg (C.G.) for offence punishable under Section 186, 353 of IPC.
2. According to the case of prosecution a report was lodged by Revenue Inspector Vyasnarayan Panariya that on 7/10/2015 when he went to the spot to demarcate the land bearing Khasra No.6740 situated at village Kohka wherein Awdesh Chouhan was also present who claimed demarcation. Thereafter, altercation took place between Awdesh and applicant. Thereafter, demarcation was not allowed to be done and the complainant went away from the site.
3. Learned counsel for the applicant submits that applicant has not

manhandled the RI and no report has been made by said Awdesb with whom scuffle took place and therefore considering the nature, applicant may be released on anticipatory bail.

4. Learned State counsel opposes prayer for grant of anticipatory bail.

5. I have gone through the statement of Awdesb wherein he has stated that he was beaten along with his brother. Case diary shows that he was subjected to medical treatment and X ray was advised for and report is awaited. Considering the nature of the allegation and investigation is at the inception, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE