

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6494 of 2015

Manoj Anant S/o Shri Dayaram Anant, Aged about 24 years, R/o Village Dhandhan P.S. & Tahsil Takhatpur District Bilaspur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Takhatpur Distt. Bilaspur (Chhattisgarh)

---- Respondent

For applicant - Shri Dheerendra Pandey, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

1/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 200/2015 registered in Police Station Takhatpur Distt. Bilaspur (C.G.) for offence punishable under section 147, 148, 149, 294, 307, 323, 327/34 of IPC.
2. Case of the prosecution, in brief, is that on the date of incident, the Shiva Sonwani and his sons were cultivating their land at that time, the applicant along with others came down and assaulted, Sukhchain and Sant Kumar to cause death. Sant Kumar sustained four injuries and one of them is on head and likewise Sukhchain also sustained injuries on his head at the parietal region and rest on the other part of the body.
3. Learned counsel for the applicant would submit that applicant and other co-accused were not aggressor in fact they were on their land and the complainant themselves were the aggressor entered in to their land and in order to defend themselves, the accident has happened. Learned

counsel for the applicant submits that considering the role played by the other co-accused except Santosh others Rajendra, Ashok and Dilip have been enlarged on bail in M.Cr.C. No. 5272 of 2015. He therefore submits that applicant may be released on bail.

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

5. The statement of Sant Kumar is perused wherein allegation have been leveled against this applicant also. It is stated that he assaulted by tabli on the head right side which is supported by injury report as injury No.3 is shown to be by sharp cutting object. Taking into account the statement made, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE