

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1212 of 2015

Narottam Netam son of Gokul Ram Netam, aged about 27 years, R/o
Saraswati Chowk, Ram Nagar Muktidham, Bhilai, P.S.Supela, District
Durg, Chhattisgarh --- **Applicant**

Versus

State of Chhattisgarh through the Station House Officer, P.S. Supela,
District Durg --- **Respondent**

For the applicant	:	Mr. P.R. Patankar, Advocate.
For the Respondent	:	Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.12.2015

1. Apprehending arrest in connection with Crime No.898/2015 registered at Police Station Supela, Distt. Durg (C.G) for the offences punishable under Sections 436, 294, 506, 323/34 IPC, the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, a report was made on 29.10.2015 that while the complainant and her two minor daughters were sleeping, the applicant along-with other co-accused Sanjay Sahu has set ablaze the hut of the complainant and thereafter on being objected/resisted, they were abused and assaulted. The incident is said to have happened in the night of 28.10.2015 at about 2.30 a.m.,
3. Learned counsel for the applicant submits that the applicant is neighbour and at the time of incident, he was standing outside the house, therefore, no offence can be attributed to him. He further submits that against the complainant and her family members, the father of the applicant and the other members of the locality have filed complaint that they indulged themselves into illegal activities and as a counter blast, false complaint has been made. He, therefore,

submits that the applicant has been falsely inculpated in this case and prays for releasing the applicant on anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have perused the statements and report of the case diary wherein the allegations have been attributed to this applicant that he also assaulted. Considering the statements of case diary, it is not a case where the provisions of Section 438 Cr.P.C., would be extended. Accordingly, this application is dismissed.

Sd/-

**GOUTAM BHADURI
JUDGE**