

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1249 of 2015

Sanjay Kumar Sahu S/o Girwar Ram Sahu, Aged About 24 Years R/o
Saraswati Chowk, Ram Nagar Muktidham, Bhilai P. S. Supela, District
- Durg (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through P. S. Supela, District - Durg
(Chhattisgarh)

---- Respondent

For applicant – Shri P.R. Patankar, Advocate.
For Respondent/State – Shri Vinod Tekam, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/12/2015

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.898/2015, registered at Police Station Supela, Distt-Durg (C.G.) for offence punishable under Section 436, 294, 506, 323/34 of IPC.
2. According to the case of prosecution a report was made on 29/10/2015 while the complainant and her two minor daughters were sleeping, the applicant along with other co-accused Narottam Netam 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 night of 28/10/2015 at about 2.30 am.
3. Learned counsel for the applicant submits that applicant is only neighbour and he was standing out side and he has not assaulted the complainant and therefore the applicant has not committed any offence and he has been falsely implicated in the case, therefore applicant may be granted benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of anticipatory bail.

5. I have perused the statement of the complainant and the witnesses wherein in statement of Pooja Sahu it has been directly attributed that when it was asked that why they set the house on fire, Narrotam Netam and Sanjay Sahu present applicant both of them abused her and when it was objected Narottam Netam assaulted, therefore considering the role played by this applicant, 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