

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6781 of 2015

Ankit Kujur son of Rajendra Kujur, aged about 20 years, caste Uraon,
resident of Nawatoli, Khajurbahar, Police station Kunkuri, District Jashpur
(C.G). ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, Police Station
Tapkara, District Jashpur (C.G). ... **Respondent**

For the applicant	:	Mr. J. K. Saxena, Advocate.
For the Respondent	:	Mr. Anil Pandey, Govt. Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 100/2015 registered at Police station Tapkara, District Jashpur (C.G) for the offences punishable under sections 307, 302, 34 IPC.
2. As per the prosecution case, a report was made on 05.02.2015 by the complainant Archana Tigga alleging therein that on the same day, when she and her mother Friska Tigga were returning from the field at that time, the son of her aunt namely Sandeep Minj @ Flora along-with the present applicant came there on motorcycle and assaulted the mother of complainant by means of knife and when she came to the rescue of his mother, she was also assaulted. Thereafter, after assaulting, the present applicant and Sandeep Minj boarded the motorcycle and fled away from the scene. It is also stated that as a result of the assault, mother of complainant sustained grievous injuries and died.
3. Learned counsel for the applicant submits that the applicant has not been named in the FIR and the entire allegations are attributed to co-

accused Sandeep Minj who has assaulted the deceased. He further submits that the motorcycle has also not been seized by the Police. Therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail and he clarified that at the time of lodging FIR, instead of name of present applicant Ankit Kujur, the name of Deepak Kujur was stated.
5. A perusal of the statements of complainant Archana Tigga and William Tigga, the eye witnesses would go to show that at the time of incident, the present applicant was waiting with his motorcycle at some distance and after committing assault by co-accused Sandeep Minj, the present applicant picked up him on motorcycle and thereafter both of them fled away from the scene by riding the motorcycle.
6. Thus taking into the totality of the facts and circumstances and looking to the role played by the present applicant, I am not inclined to release him on bail. Accordingly, this application is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**