

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 627 of 2015

1. Kuldeep Kushmakar S/o Shri C.R. Kushmakar Aged About 24 years R/o Sethi Nagar, Raigarh, Tahsil And District Raigarh, Chhattisgarh
2. Ashiq Hussain S/o Late Amzad Hussain Aged About 32 Years R/o Banglapara, Chakradharnagar Raigarh, Chhattisgarh
3. Mantosh Parmanik S/o Shri Sanat Parmanik Aged About 35 Years R/o Sethi Nagar, Raigarh, Tahsil And District Raigarh, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through: The Police Station City Kotwali, Raigarh, District Raigarh, Chhattisgarh

---- Respondent

Shri Aditya Tiwari, counsel for the applicant/s.
Shri Satish Gupta, Govt. Adv. for the State.

Order On Board

30/07/2015

Heard.

The applicants are apprehending their arrest in connection with Crime No.422/15 registered at police station Raigarh (CG) for alleged commission of offence under Section 307, 294, 506, 323 read with Section 34 of IPC.

2. Case of the prosecution is that the applicant and other accused gathered with criminal intention to assault the victim nearby petrol pump and it is alleged that the applicant and other accused assaulted Ankit Gorakh who sustained injury. He is said to have sustained serious injury on his head.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated. The applicants have not assaulted but the other accused were the assailants and the applicants only attempted to save themselves. He submits that any specific overt act has not been alleged against the applicants but only on the ground that they have come with the other accused, they have been involved.

4. Taking into consideration the submission of learned counsel for the parties, statement of eye witnesses and that the applicants are alleged to have come and assaulted Ankit Gorakh, no case for grant of anticipatory bail is made out.

5. The application is therefore rejected.

Sd/-

Manindra Mohan Shrivastava
Judge