

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 906 of 2015

Monu @ Manuraj Yadav S/o Late Ashok Yadav Aged About 27 Years R/o Sarkanda, Bangalipara, Police Station - Sarkanda, Civil & Revenue District - Bilaspur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station Sarkanda, District - Bilaspur (Chhattisgarh).

---- Respondent

For Applicant	:	Shri UKS Chandel, Advocate
For Respondent/State	:	Shri Vinod Tekam, Panel Lawyer

Order On Board

05/10/2015

Heard.

This application has been filed by the applicant apprehending his arrest in connection with Crime No.191/2015, registered in Police Station -Sarkanda, District- Bilaspur for alleged commission of offence under Sections 294, 323, 324 and 506 of the IPC .

Case of the prosecution, in brief, is that the applicant abused and assaulted Tuleshwar, Kamal, Manish and Devendra.

Learned counsel for the applicant, after arguing for some time, seeks to withdraw this application with liberty to file regular bail application before the Court below. It is stated that the application of the applicant has been rejected on the ground that all the offences including offence under Section 324 IPC is bailable in nature.

After coming into force the Criminal Law Amendment Act, 2013 with effect from 3.2.2013, the offence under Section 324 of the IPC is non-bailable in nature. The Court below has passed the order without taking into consideration the amendment in law.

In case the applicant moves regular bail application before the Court below, the same shall be considered as early as possible.

With the aforesaid observations, the application is dismissed as withdrawn.

Sd/-
(Manindra Mohan Shrivastava)
Judge