

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6608 of 2015

Maan Singh Jangde, son of Prisesar Jangde, aged about 28 years, resident of village Lachhanpur, Police Chowki FASTERPUR, Police Station City Kotwali, Mungeli, District Mungeli. **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, Police Station Mungeli, District Mungeli, C.G. ... **Respondent**

For the applicant : Mr. Bharat Rajput, Advocate.
For the Respondent : Mr. Neeraj Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2015

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.45 of 2015 registered at Police Station Mungeli, Distt. Mungeli (C.G) for the offences punishable under sections 147, 148, 149, 302, 307, 294 of IPC.
2. As per the prosecution case, in the night of 02.02.2015 at about 9 O' clock a quarrel took place between complainant Santosh Jangde and one Pradeep and thereafter accused Pradeep came alongwith other co-accused Andeep, Kandeep & Mansingh and assaulted complainant and flood away. Thereafter, complainant reported the matter to his father Chaitu @ Omprakash, uncle Uttara (Chacha), brother Hemant and Rohit and all they have gone to the house of Shankar to enquire about the assault. At that time in between 10.30 - 11.00 p.m., in the night, accused Pradeep, Andeep, Kandeep, Maan Singh and Shankar in further of common intention abused and badly assaulted the complainant party, as a result of which, Uttara died on the spot and Santosh, Hemant, Rohit and Chaitu @ Omprakash sustained grievous injuries.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no evidence is available against him.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Having regard to the evidence of eye witnesses Santosh Jangde and Rohit Jangde wherein the applicant has been categorically named as assailant, I am not inclined to allow this bail application. Accordingly, it is dismissed.

Sd/-
GOUTAM BHADURI
JUDGE