

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 867 of 2015

1. Dubraj Singh S/o Ramdhani Singh Aged About 46 Years R/o Chattarpur, P.S. Ramanujganj, District - Balrampur-Ramanujganj, Civil District - Balrampur, Revenue District - Sarguja (Chhattisgarh).
2. Mahraj Singh S/o Ramdhani Singh Aged About 43 Years R/o Chattarpur, P.S. Ramanujganj, District - Balrampur-Ramanujganj, Civil District - Balrampur, Revenue District - Sarguja (Chhattisgarh).
3. Ramdas Singh S/o Ramdhani Singh Aged About 38 Years R/o Chattarpur, P.S. Ramanujganj, District - Balrampur-Ramanujganj, Civil District - Balrampur, Revenue District - Sarguja (Chhattisgarh).
4. Amar Singh S/o Dubraj Singh Aged About 26 Years R/o Chattarpur, P.S. Ramanujganj, District - Balrampur-Ramanujganj, Civil District - Balrampur, Revenue District - Sarguja (Chhattisgarh).
5. Baijnath Singh S/o Shivbhajan Singh Aged About 40 Years R/o Chattarpur, P.S. Ramanujganj, District - Balrampur-Ramanujganj, Civil District - Balrampur, Revenue District - Sarguja (Chhattisgarh).
6. Shivkumar Singh S/o Surajdev Singh Aged About 25 Years R/o Chattarpur, P.S. Ramanujganj, District - Balrampur-Ramanujganj, Civil District - Balrampur, Revenue District - Sarguja (Chhattisgarh).

---- Applicants

Versus

State Of Chhattisgarh Through : Station House Officer, Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicants	:	Shri CJK Rao, Advocate.
For Respondent/State	:	Shri Satish Gupta, Government Advocate.

Order On Board

10/09/2015

Heard.

1. The applicants are apprehending their arrest in connection with Crime No.0/2015 registered at police station – Police Chowki Vijaynagar, Ramanujganj, District- Balrampur for alleged commission of offence under Section 307, 323, 147, 148, 149, 294 of IPC.

2. Case of the prosecution is that the applicants sharing common intention arrived at the spot armed with weapons like *lathi*, *gada* and it is alleged that all of them started assaulting the victims in which, four persons sustained injury including injury on the skull.
3. Learned counsel for the applicants submits that they have been falsely implicated. The applicants' team had also lodged report against the complainant and many members of the applicants' team are also injured and the counter case has already been registered. It is further submitted that the assaults are not given by all the persons. Therefore, merely because they were present, they cannot be involved in the alleged commission of offence.
4. On the other hand, learned counsel for the State opposes prayer and submits that eyewitness account of the victim shows that all the applicants had arrived at the spot who hurled abuses. They were armed with the weapons and all of a sudden, opened assault resulting in multiple injury to number of persons including injury of the head of atleast two victims.
5. Taking into consideration the nature of allegation, I am not inclined to grant anticipatory bail to the applicants.
6. The bail application is rejected.

Sd/-

Manindra Mohan Shrivastava

J U D G E