

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6054 of 2015

Golu @ Suresh Uaike, S/o. Domra Singh Uaike, Aged About 20 Years,
R/o. Village Kundrunar, Sothi, Police Station Bilaspur, Civil & Rev. Distt.
Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station
Seepat, Civil & Rev. Distt. Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Sushobhit Singh, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.62/2015 registered at Police Station- Seepat, District Bilaspur (C.G.) for the offence punishable under Sections 294, 506, 323 and 307/34 of the Indian Penal Code.
2. Case of the prosecution is that the complainant and three others went to attend a marriage function of Laxminarayan at Kudrunar and when they were going to the public Hand-pump, at that time, the victim had an altercation with the applicant and the other co-accused. Thereafter, the victim was caught hold from the back side by this applicant namely Golu @ Suresh and the other co-accused Devnath @ Chuddu assaulted by way of Knife to the complainant Virendra on 5 to 6 places.

3. Learned counsel for the applicant submits that the applicant has not been named in the FIR, however, his name was subsequently revealed in the statement under Section 161. He further submits that the entire allegations are against Devnath @ Chuddu and therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Having regard to the fact that the applicant caught hold of the victim and thereafter Devnath @ Chuddu assaulted the victim Virendra at 5-6 places, which is corroborated by the medical evidence and further considering the role played by this applicant and the way the offence is committed, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge