

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6248 of 2015

Yashwant Yadav, S/o. Lekh Ram Yadav, Aged About 23 Years, R/o. Kosanagar, P.S. Supela, District Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, P.S. Supela, Distt. Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/11/2015

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.427/2015 registered at Police Station- Supela, District Durg (C.G.) for the offence punishable under Section 307/34 of IPC & Section 25(1) (1-B) (B) & Section 27(1) of Arms Act.
2. Case of the prosecution, in brief, is that on 23.06.2015 the applicant alongwith other co-accused assaulted the injured/ victim Manoj @ Raju Giri by knife and club whereby he suffered grievous injuries which were sufficient to cause his death and thereby committed the aforesaid offences.
3. Learned counsel for the applicant submits that the similarly placed co-accused had granted bail in M.Cr.C. No.5079 of 2015 on 22.09.2015 and the case of the present applicant is similar to that case, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. He would submit that the allegation leveled against this applicant is that he assaulted the injured by way of knife and five injuries were recovered from his body, therefore, this case is different to that person who has been granted bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Having gone through the bail order of the co-accused and taking into allegation leveled against this applicant as he had assaulted the injured by way of knife and five injuries were caused, 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