

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6342 of 2015

Laxmi @ Chhotu Suryawanshi, son of Dhajaram, aged about 24 years,
resident of Naharpara, Khamtarai, Police Station Sarkanda, District Bilaspur

... **Applicant**

Versus

State of Chhattisgarh through Police Station Sarkanda, district Bilaspur
(C.G).

... **Non-applicant**

For the applicant	:	Mr. Ravi Maheshwari, Advocate
For the Respondent	:	Mr. Anupam Dubey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24 .11.2015

1. This is an application filed under section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant in connection with Crime No.200 of 2015 registered at Police station Sarkanda, Civil & Revenue District Bilaspur, Chhattisgarh for the offences punishable under sections 294, 323, 324, 506, 326 & 307/34 of IPC.
2. Case of prosecution in brief is that on 24.05.2015 the applicant and other co-accused assaulted complainant Nirmala Suryavanshi and others thereby Victim Manish suffered injuries.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in this case. He further submits that similarly placed co-accused Dhaja Ram has been enlarged on bail by the coordinate Bench in M.Cr.C.No.4405 of 2015 by order dated 31.08.2015, therefore, the present applicant may also be released on bail on the ground of parity.
4. Per contra, learned State Counsel opposes the prayer for grant of bail and submits that the allegations levelled against this applicant are different from that of co-accused as the applicant used Farsa and as such he is not entitled for the bail. He further submits that the

applicant has past incidents

5. I have gone through the statement of Smt. Nirmala Bai and have also perused the medical evidence available in the case diary. Considering the role played by this applicant and the submission of learned State Counsel that earlier 3 criminal cases were registered against him, I am of the opinion that if the applicant is released on bail, again he would repeat commit offence.
6. Having regard to the totality of the facts and circumstances especially the past antecedents of the applicant, I am not inclined to release him on bail. Accordingly, the bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**