

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6820 of 2015

1. Pradeep Kumar Pathak, S/o. Ghanshyam Pathak, aged about 35 years, R/o. Indira Nagar, Camp-2, Bhilai, Police Station Chhawani, District – Durg (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station - Chhawani, District – Durg (C.G.)

---- Respondent

For Applicant	: Mr. Manish Upadhyay, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.413/2015, registered at Police Station – Chhawani, District – Durg (C.G.) for the offence punishable under Section 307, 34 of I.P.C..
2. Case of the prosecution, in brief, is that on 26.07.2015 the injured, Rohit while went to bring milk at that time, the other co-accused Rahul met him and thereafter after walking some distance Rahul forced him and took him near pond, wherein the applicant, Pradeep Kumar waiting and thereafter, Rahul has caused injury by knife.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he has not committed any offence. He would further submit that entire allegation of causing blow

is on Rahul. He would further submit that charge sheet in this case has been filed and the applicant is in jail since 12.10.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have perused the statement of the injured, Rohit, wherein he has stated that he was taken by Rahul, where Pradeep was waiting and he caught hold of him. Considering the way the offence has been committed further looking to the gravity of the offence, I am not inclined to allow this application.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge