

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7220 of 2015

Abhishek Singh Chouhan @ Shainki, S/o Mahendra Singh Chouhan,
Aged About 25 Years, R/o Tulsipur, Behind Patta Godown, Police Station
Kotwali, Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police
Station Basantpur, District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. B.P.Singh, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/12/2015

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.204/2015, registered at Police Station Basantpur, District Rajnandgaon (C.G.) for the offence punishable under Sections 307, 120-B, 212/34 of Indian Penal Code and Section 25, 27 of Arms Act.
2. As per the prosecution case, in brief, on 27.07.2015 at about 7:30 p.m, the applicant alongwith other four co-accused namely Sonu Thapa, Ronit @ Monu Meshram, Ghanshyam & Jugal Kishore assaulted the complainant and Gun shot was made by Sonu Thapa, thereafter, Sonu Thapa along with other co-accused fled away from the scene.
3. Learned counsel for the applicant submits that the entire allegations of Gun shot are against other co-accused Sonu Thapa and nothing has been attributed to this applicant; therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and she read out the statement of the complainant and also submitted that four criminal cases are registered to the credit of the applicant.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the statement of the complainant Nitin Limba, the role played by this applicant cannot be ignored at this stage and further this fact is also cannot be ignored that to the credit of the applicant four criminal cases are registered. Considering the nature of allegations and the statement of the injured, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge