

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 140 of 2016

Ajay Sahu S/o Ramu Sahu Aged About 17 Years R/o Tikrapara, P.S. Tarbahar, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Officer In Charge, P.S. Tarbahar, District Bilaspur, Chhattisgarh.

---- Respondent

For applicant – Shri Abdul Wahab Khan, Advocate.
For Respondent/State – Miss. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/02/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 366/2015 registered at Police Station Tarbahar, District Bilaspur (C.G.) for offence punishable under Section 294, 506-B, 324, 307, 34 of Indian Penal Code.
2. As per the prosecution case on 21/12/2015 the complainant Vikash Yadav was going back to his house, at that time applicant along with other co-accused intercepted him and thereafter assaulted by way of sword, thereby offence has been committed.
3. Learned counsel for the applicant submits that the applicant and his family members were assaulted by family members of the complainant for which report was made on 21/12/2015 at City Kotwali and therefore in order to counter that false allegations have been made against this applicant and the applicant was admitted to the hospital for more than 7 days, therefore the applicant may be granted benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of anticipatory bail.

5. I have perused the case diary, statement of the victim Vikash Yadav. Allegation have been attributed against this applicant by the injured Vikash Yadav that this applicant assaulted by way of sword which is supported by the medical certificate. Considering the facts, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE