

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4916 of 2016

- 1. Anil Kumar Yadav S/o Suresh Kumar Yadav Aged About 18 Years
R/o Behind Usendi Bangla, Shankar Nagar, P.S. Civil Line, Raipur,
Civil & Rev. District Raipur Chhattisgarh.
- 2. Durgesh Kumar Yadav S/o Naresh Yadav Aged About 19 Years R/o
Behind Usendi Bangla, Shankar Nagar, P.S. Civil Line, Raipur, Civil
And Rev. District Raipur Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh Through The Station House Officer, Police
Station, Telibandha, Civil & Rev. Distt. Raipur Chhattisgarh. ----
Respondent

For the applicants	:	Mr. Mirza Hafeez Baig, Advocate
For the Respondent	:	Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.08.2016

- 1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 129 of 2016 registered at P.S. Telibandha Distt. Raipur (C.G) for the offence punishable under Section 327/34 IPC.
- 2. As per the prosecution case, on 04.05.2016 while the complainant Dinesh Kumar was going back to his house at Jal Vihar Colony, he was stopped by the present applicant and demanded amount for consuming liquor which was refused and as such, the applicant assaulted Dinesh Kumar, snatched his mobile and further assaulted him by way of cutter of Thermocol on the neck thereby the offence is committed.
- 3. Learned counsel for the applicants submits that the applicants have been falsely implicated and it was a case of simple dispute between the parties and it was exaggerated

to such an extent and the assault has not been made by the present applicants, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and submits that against applicant Anil Kumar Yadav, previous antecedents are also reported u/ss 394, 397 IPC and Arms Act.
5. Perused the statements of injured Dinesh Kumar and the eye-witness. After perusal of such statement(s), I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE