

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7174 of 2015

Rajkumar Anchali S/o. Lalji Anchali, Aged about 43 years, R/o. Village Daldali, Thana, Masturi, District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Masturi, District Bilaspur (C.G.)

---- Respondent

For Applicant	:-	Mr. Surest Kumar Verma, Advocate.
For Respondent/ State	:-	Mr. S.R. J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.01.2016

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. 364/2015 registered at Police Station- Masturi, District Bilaspur (C.G.) for the offence punishable under Sections 294,506 (B)323,34,324 of IPC and section 25 of Indian Arms Act.
2. Case of the prosecution, in brief, is that the applicant and the other co-accused persons caused grievous injury to Ganesh, Awadesh and Ashwani by sword. Thereby, the offence is committed.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that there are total four accused persons out of which three accused persons have been granted bail by the court below and only section 25 of Indian Arms Act is non-bailable offence; therefore, he may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail and submits that against this applicant 2 – 3 criminal cases is pending bearing crime No. 80/2013 under section 302 of IPC and crime No. 211/2015 under section 294,506,323,34 of IPC; therefore, the applicant should not be entitled for grant of bail.
5. Perused the case diary. Perusal of the case diary and the statement wherein the primary allegations of causing injury by sword is against this applicant and further considering the criminal back ground and the past antecedents of the present applicant as he was already involved in similar nature of offence, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is rejected.

Sd/-

(Goutam Bhaduri)
Judge