

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7733 of 2015

Hareram, S/o. Dayanath Prasad, Aged About 35 Years, R/o. Contractor Colony, Supela, Police Station Supela, District Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : District Magistrate, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mrs. Renu Kochar, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/01/2016

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.195/2015 registered at Police Station- Newai, District Durg (C.G.) for the offence punishable under Section 307, 323, 147, 148, 149, 294 of Indian Penal Code and Section 25 of Arms Act.
2. Case of the prosecution, in brief, is that, on 26.07.2015 the complainant Ahmad Nadim Khan while was coming from his house, he stopped at Pan shop and thereafter he had some altercation with one Shashikant and thereafter Shashikant called the present applicant by phone and he came with the arms i.e. hockey, stick and sword and thereafter they assaulted the complainant and he suffered the injuries and fracture on his head.
3. Learned counsel for the applicant submits that the medical report do not support the case of the prosecution and the applicant has been falsely implicated in this case. She further submits that the

charge sheet has been filed and no further evidence is required; therefore, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit that as many as 18 other cases are registered against the applicant and he is history sitter, therefore, he may not be enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the list of the cases against the applicant under the various sections of I.P.C. Taking into facts and evidence available and considering the past antecedents of the applicant that as many as 18 cases are registered against him, 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