

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7769 of 2015

Ravi Lahre, S/o. Late Mannu Lal Lahre, Aged About 25 Years, R/o. Lakholi, Baigapara, Thana Kotwali, District Rajnandgaon (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh, Through - Thana Lalbag, District Rajnandgaon (Chhattisgarh).

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent : Mr. Ramakant Mishra, Dy. A.G.

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.281/2015 registered at Police Station- Lalbag, District Rajnandgaon (C.G.) for the offence punishable under Section 147, 148, 149, 323, 307/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that, on 29.08.2015 the applicant along with other co-accused namely Raju Nayan and Bharat Chauhan went to the house of the Kaushal Sahu and thereafter abused on the allegation to inculcate in the case of illegal liquor and attacked the complainant whereby Kaushal, Dilesh and Pushpa sustained severe injuries and in such act Raju and Bharat assaulted by way of knife and this applicant and other accused have assaulted by way of a club.
3. Learned counsel for the applicant submits that the main allegations are attributed to Raju Nayan and Bharat Chauhan and the other co-accused against whom the similar allegations were

made that they have assaulted by club have been enlarged on bail by the trial Court, therefore, the applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the statement of Kaushal Prasad Sahu and Jitendra recorded under Section 164 wherein they have stated that Ravi was also holding knife. Taking into such statement, at this stage, the evidence cannot be evaluated separately, therefore, considering the allegation made, 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