

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 1333 of 2015

1. Balla @ Babulal, S/o. Shekhu Ram Verma, aged about 51 years, R/o. Andi, P.S. & Tahsil Chhuikhadan, District – Rajnandgaon (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, through : the Station House Officer, P.S. - Chhuikhadan, District – Rajnandgaon (C.G.)

---- Respondent

For Applicant	: Mr. Raghavendra Pradhan, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/02/2016

1. Apprehending arrest in connection with Crime No.331/2015 registered at Police Station- Chhuikhadan, District – Rajnandgaon (C.G.), for offence punishable under Section 294, 452, 506, 323, 427, 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, over a dispute with the complainant, the applicant alongwith other co-accused has assaulted the complainant, Narayan Verma and thereafter entered into the house and caused damage to the house hold property.
3. Learned counsel for the applicant would submit that, the applicant has been falsely implicated in this case. He would further submit that nature of the injury is simple in nature and infact all the offences are triable in nature and the applicant has not entered into the house and

subsequently, the venue of the incident has been changed as against the FIR, therefore, the applicant has been falsely implicated. Therefore, the counsel submit that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel opposes the prayer for grant of bail .
5. Perused the case diary and the statement. Perusal of the medical report shows that two lacerated wound was sustained by the injured on his head. Subsequently, the statement also shows that damage to the house holds property was caused. Taking into such statements and the fact that investigation is going on, it is not a case, where the provisions of Section 438 of Cr.P.C. can be extended.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge