

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7525 of 2015

1. Mukesh Baghel S/o Ramdas Baghel Aged About 38 Years R/o Village - Narotikanpa (Lamer), Police Station - Kota, Civil And Rev. Distt. Bilaspur Chhattisgarh.

2. Chhotu @ Rajendra Kumar Baghel S/o Ramdas Baghel Aged About 23 Years R/o Village - Narotikanpa (Lamer), Police Station - Kota, Civil And Rev. Distt. Bilaspur Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Kota, District Bilaspur Chhattisgarh.

---- Respondent

For applicants - Shri M.D. Dhote, Advocate.

For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/01/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.217/2015 registered in Police Station Kota, District Bilaspur C.G. for offence punishable under section 307, 324/34 of Indian Penal Code.

2. As per the prosecution case on 29/06/2015 at about 8.30 in the morning the complainant saw the accused/applicants were tilling their land. Thereafter, it was objected by the victim and the incident took place suddenly the quarrel broke out between the parties and the complainant Budhram Bhaghel sustained head injury and Shanti Baghel sustained hand and leg injuries and the other victim Prafull Baghel and Sanju Baghel sustained fracture on their legs. It was further stated that at the time of incident the assault was made by axe, club and lathi and as such they have committed offence punishable under section 307, 324, 34 of IPC.

3. Learned counsel for the applicants submits that complainant and

the applicants are family members and it was family dispute and he further submits that in the CT scan only fracture was shown. He further submits that bail of the co-accused Ramdas Baghel has been allowed and that of Rajkumar has been rejected by this court vide M.Cr.C. No.6390/2015 on 26/11/2015. He submits that applicants are in jail since 2/11/2015, therefore they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have gone through the charge sheet and the statement of injured Budhram who sustained lacerated wound along with Sanju and Prafull and therefore taking into account involvement of the applicants who have been named, at this stage it cannot be appreciated role played by the applicants separately. Taking into account evidence available, this court is not inclined to release the applicants on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE