

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2341 of 2016

1. Jagmohan Lehre, S/o. Phool Singh, aged about 50 years, R/o. Village-Bhojpuri, P.S. - Hirri, Civil District & Revenue District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer of Police Station : Patharia, Civil District – Bilaspur, Revenue District – Mungeli (C.G.)

---- Respondent

For Applicant : Mr. Pallav Mishra, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/04/2016

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.136/2015, registered at Police Station – Patharia, Civil District – Bilaspur, Revenue District – Mungeli (C.G.) for the offence punishable under Section 307 of I.P.C. The first bail application was dismissed as withdrawn on 14.12.2015 in M.Cr.C.No.6619/2015.
2. Case of the prosecution, in brief, is that on 26.06.2015, the applicant went to the shop of the complainant and demanded Rs.2.00 lakhs and in lieu thereof he supplied the paddy and fertilizers. The victim stated when the goods are supplied, he would pay the amount but the applicant demanded the amount in advance which was refused by the victim, therefore, he assaulted the complainant by way of axe.

3. Learned counsel for the applicant would submit that victim has examined and has not supported the case of the prosecution. He further submits that the applicant has been falsely implicated in this case and he is in jail since 27.06.2015 and therefore, he prays that the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of the doctor and the victim. After going through the statements, without any observation on merits, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge