

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7748 of 2015

- Dhansai Jatwar S/o Babulal Jatwar Aged About 28 Years R/o Village Anda, Police Station Maalkharauda, Civil & Revenue District - Janjgir Champa Chhattisgarh
--- Petitioner

Versus

- State of Chhattisgarh Through - Station House Officer, Police Station - Maalkharauda, District - Janjgir - Champa Chhattisgarh

---- Respondent

For the applicant	:	Mr. Dharmesh Shrivastava, Advocate.
For the Respondent	:	Mr. Sangharsh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No.182 of 2015 registered at Police station Maalkharauda, District Janjgir Champa (C.G) for the offences punishable under 307/34 IPC.
2. As per the prosecution case, one Murit Jatwar has lodged a report that he has recorded presence of Dhansai for half day which was objected by Mohit Ram Jatwar and subsequently while Murit Jatwar was taking rest in the night, at that time, Dhan Sai and co-accused Mohit Ram Jatwar came and attacked complainant. It is alleged that accused Dhansai was holding lathi and Mohit Ram Jatwar was holding rod in their hands.
3. Learned counsel for the applicant submits that the applicant Dhansai has not been named in the FIR and only the name of co-accused Mohit Ram Jatwar has been mentioned that he has attacked the complainant and the applicant has been falsely implicated in this case. He further submits that charge sheet in this case has been

filed and the applicant is in jail since 28.07.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the statement of complainant Murit Jatwar and the statement of other eye-witness who was present at the place of incident. It was explained that in the FIR the name of present applicant could not be mentioned because of the fact that the complainant was severely injured.
6. Perused the medical report also. After perusal of the medical report and considering the way in which the offence committed, I am not inclined to allow this bail application. Accordingly, the bail application is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**