

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 755 of 2016

- Virendra Gupta S/o Shiv Gopal Gupta Aged About 46 Years R/o Ward No. 20, Manendragarh, P.S. & Tahsil Manendragarh, Distt. Korea Chhattisgarh. - **Applicant**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Manendragarh, Distt. Korea Chhattisgarh. - **Respondent**

For the applicant	:	Mr. B.D. Guru, Advocate.
For the Respondent	:	Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.09.2016

1. Apprehending arrest in connection with Crime No.180 of 2016 registered at Police Station Manendragarh, Distt. Korea (C.G) for the offences punishable under section 294, 450, 307 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, on 26.05.2016 applicant Virendra Gupta went to the Government residential quarter of the complainant and assaulted him and on account of such assault, the complainant became unconscious and was admitted to Hospital thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant has been wrongly inculpated as the applicant is a Govt. Contractor and the complainant is working as SDO in Primary Health Engineering and certain illegal

demands were made by the complainant which were objected by the complainant, therefore, a wrong report is made against him. Referring to the medical prescription filed as Annexure A-2 he further submits that the complainant sustained injury due to falling when he was walking at his residential lawn whereas the reason has been shown that the head injury was inflicted due to the assault caused by the applicant, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of victim. The case diary shows that the complainant was brought to the hospital in an unconscious condition and subsequently he re gained consciousness.
6. Taking into such statement and facts situation of the case, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE