

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5429 of 2016

1. Lekhuram Yadav, S/o. Awadh Yadav, aged about 40 years, R/o. Village-Champa, Police Station and Tahsil Palari, District – Baloda Bazar-Bhatapara (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Palari, District – Baloda Bazar- Bhatapara (C.G.)

---- Respondent

For Applicant : Mr. S.K. Guha, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/09/2016

1. This is the first 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.262/2016, registered at Police Station – Palari, District - Baloda Bazar – Bhatapara (C.G.) for the offence punishable under Section 294, 323, 506-B and 307 of Indian Penal Code.
2. As per prosecution case, a report was made by one Budhram on 05.07.2016 alleging that the applicant assaulted the victim by way of club and caused fracture. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail

since 09.07.2016 and no further investigation is necessary, therefore, the counsel prays that the applicant may be enlarged 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 victim as also the medical report. Perusal of the medical report would show that as many as 8 lacerated wounds were present along with fracture. Considering the same, at this stage 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