

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5668 of 2016

Mathura S/o Tirath Ram, Aged About 50 Years R/o Takhatpur, Distt.
Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station- Takhatpur, Distt. Bilaspur, Chhattisgarh

---- Respondent

For applicant - Smt. Indira Tripathi, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

25/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.170/2016 registered in Police Station Takhatpur, Distt. Bilaspur (C.G.) for offence punishable under sections 294, 323, 506-B, 307, 302/34 of Indian Penal Code.
2. As per the prosecution case, on 14/06/2016 over a dispute over boundaries of the field, the deceased Dukalu and the applicant entered into altercation and they entered into scuffle. Thereafter, Dukalu was killed by the applicant. Thereby, offence has been committed.
3. Learned counsel for the applicant submits that the FIR was lodged by Bisahu Ram son of the deceased Dukalu and dispute arose over the measurement of the land as Dukalu has captured some part of the land. She submits that the applicant was also assaulted and he suffered fracture of both hands, therefore it is not a case of murder and therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of witness Dileram and also statement of

eye witness Bisahu Ram. Considering the statement, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE