

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 983 of 2016

1. Prabhakar Singh S/o Dharamraj Singh Aged About 54 Years (Ex. Serviceman) Working As A Area Manager In Reliance Compnay Ltd. Surguja - Koriya Area, R/o - Mahalpara, Baikunthpur, Post Office & Police Station - Baikunthpur, District - Koriya Chhattisgarh
2. Puneshwar Khunte S/o Dauram Khunte @ Janiram Aged About 37 Years Occupation - Working As A Cluster Engineer In Tata Telecome, R/o - Baikunthpur, Post Office & Police Station - Baikunthpur, District - Koriya Chhattisgarh --- **Applicants**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station - Janakpur, District - Koriya Chhattisgarh --- **Respondent**

For the applicant : Mr. Shivendu Pandya, Advocate.
For the State : Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.11.2016

1. Apprehending arrest in connection with Crime No. 103/2016 registered at Police Station Janakpur, Distt. Korea (C.G) for the offences punishable u/ss 394, 325, 427, 34 of IPC, the applicants have filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, a report was lodged by one Ranu Shrivastava who is manager of Maa Chang Lodge, Janakpur that the applicants along with other co-accused Santosh Kuzur and Hemant entered into a dispute with the complainant over accommodation in the lodge as one of the rooms was already booked and on asking the ID of the applicants and other accused, complainant Ranu was severely assaulted thereby he sustained fracture of his wrist and 4 teeth were broken. It is

further alleged that they have also created havoc at the main counter of lodge and snatched the gold ring and mobile of the complainant.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and no such role has been played by these applicants, therefore, they may be admitted to anticipatory bail.
4. Per contra, learned State Counsel opposes the prayer.
5. Perused the case diary, the statements of the victim as also the medical report.
6. Considering the nature of injury and the degree of allegations levelled against the applicants, it is not a fit case where the applicants can be enlarged on anticipatory bail. Accordingly, this bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**