

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No.5996/2016

Shashikant Rai, s/o Awadesh Rai, aged about 43 years, Resident of Ganesh Nagar, Risali, Bhilai, District Durg (C.G). ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, Police station Newai, Bhilai, Distt. Durg (C.G). ... **Respondent**

For the applicant	:	Mr. Rajeev Shrivastava, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 195 of 2015 registered at P.S. Newai, Bhilai, Distt. Durg (C.G) for the offence punishable under Sections 307, 147, 148, 149 IPC & sections 25 & 27 of the Arms Act.
2. As per the prosecution case, a report was made by one Ahmad Nadeem Khan that on 26.07.2015 the applicant along-with other accused Hare Ram and Ratnakar over a dispute had assaulted the complainant and his friends by way of sword and tried to kill them thereby the offence is committed.
3. Learned counsel for the applicant submits that on the same date, a dispute took place between the applicant and other accused wherein the applicant himself was assaulted for which he was admitted in hospital from 23.07.2015 to 05.08.2015 and the other accused Hare Ram was tried in Sessions Trial No.10/2016 and thereafter he has been

acquitted and the present applicant himself has surrendered before the Court on 25.07.2016. He further submits that false allegations have been attributed to the applicant and in the facts and circumstances he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. A perusal of the case diary shows that against the applicant total 11 cases of different sections of IPC were registered, out of them, 4 have been compromised and in 4 cases the applicant was acquitted and remaining 3 cases including the present one relating to Crime Nos. 156/2014, 195/2014 & 247/2015 are pending. In addition, 8 other cases u/s 107, 116(3) & 110 of IPC & Cr.P.C., stand registered against the applicant.
6. Considering the facts and circumstances of the case and taking into the past antecedents of the applicant, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE