

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6312 of 2016

- Santosh Kuzur, s/o Marisis Kuzur Aged About 30 Years R/o Visunpur, Police Station Gandhinagar, Tahsil Ambikapur, District Surguja, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Incharge Police Station Janakpur, District Korea, Chhattisgarh --- **Respondent**

For the applicant	:	Mrs. Usha Chandrakar, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.10.2016

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. 103/2016 registered at P.S. Janakpur, Distt. Korea (C.G) for the offence punishable under Section 394, 325, 427, 34 of IPC.
2. As per the prosecution case, a report was lodged by one Ranu Shrivastava who is manager of Maa Chang lodge, Janakpur that the applicant alongwith other co-accused Puneshwar, Hemant, Prabhakar entered into a dispute with the complainant over accommodation as one of the rooms was already booked in the lodge and on asking the ID of the applicant and other co-accused, complainant Ranu was severely assaulted wherein he sustained fracture of his wrist and 4 teeth were broken. 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 applicant would submit that the incident happened over an altercation when the return of money was demanded by the applicant and other co-accused as the room which was booked was small and not suitable for the person by whom it was booked and when the applicants asked for one more room the complainant refused to give them on which the dispute arose. She further submits that the applicant is in jail since 22.07.2016 and no further evidence is required, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary, documents and the statements of victim.
6. Taking into such facts situation of the case and the nature of allegations levelled against the applicant and further mainly considering the facts that the charge sheet has not yet been filed and other co-accused are still absconding, I am not inclined to allow this bail application. Accordingly, this bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**