

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6261 of 2016

- Kelu @ Kailash Batyani S/o Dileep Batyani, Aged About 24 Years R/o Gali No. 2, Ravigram, Telibandha, Raipur, Post Office - Raipur, Police Station - Telibandha, Raipur, District Raipur Chhattisgarh

---- Petitioner

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station - Telibandha, District Raipur Chhattisgarh

---- Respondent

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.10.2016

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. 162 of 2016 registered at P.S. Telibandha, Distt. Raipur (C.G) for the offence punishable under Sections 294, 323, 324, 506 & 327/34 IPC.
2. As per the prosecution case, on 14.06.2016 a report was made by one Surendra Kumar Shukla that he was going on an auto rickshaw and when when the Auto stopped at a place, two persons came and sat on the side of driver and demanded money for liquor. When it was refused they abused and assaulted Surendra Kumar. The allegation against the applicant is that he caught hold of the complainant and assaulted by blade thereby 3 incised wounds were caused to the complainant.
3. Learned counsel for the applicant submits that the main

assault has been caused by one Gopi @ Rahul and the applicant has not committed any offence, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary, documents and statements.
6. Considering the statement of the victim as also the medical report and the way the offence has been committed, I am not inclined to allow this bail application. Accordingly it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE