

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6942 of 2016

1. Pramod Mahanand, S/o. Shri Krishna Mahanand, aged about 19 years, R/o. Krishna Kirana Shop, Gandhi Nagar, P.S. - Civil Line, Raipur, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, through: Police Station – Civil Line, Raipur, District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. Kshitij Sharma, Advocate

For Respondent/State : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

09/11/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.254/2016, registered at Police Station – Civil Line, Raipur, District – Raipur (C.G.) for the offence punishable under Section 294, 506 (II), 307 & 34 of Indian Penal Code.
2. As per prosecution case, a report was made by one Kanhabag that on 03.05.2016 some dispute took place in between the applicant and complainant and others on mobile recharging at that time, the applicant assaulted Lalludeep by way of knife on his abdomen, whereby the intestine came out. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the victim and others they went to the shop of applicant and they were the aggressor and the applicant is not the aggressor. It is further submitted that the applicant was attacked by the victim and applicant in self defence has assaulted. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 01.07.2016, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents, statement of Lalludeep and the medical report. Considering the statement and the medical report, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge