

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7076 of 2016

Yogesh Kumar Dewangan, S/o. Jeevrakhan Lal Dewangan, Aged About 25 Years, R/o. Purani Basti, Titurdih, Durg, Tehsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Mohan Nagar, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pravesh Sharma, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16.11.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.290/2016 registered at Police Station- Mohan Nagar, Durg, District Durg (C.G.) for the offence punishable under Sections 294, 506-B, 452 & 307 of Indian Penal Code & Section 25 of Arms Act.
2. As per the prosecution case, a report was made by the victim Jagannath that on 05.06.2015 the applicant assaulted the victim and his wife by way of knife and caused injury, which was enough to cause death.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the nature of injury is not serious to cause death, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary, statement of the victim and the medical report. The nature and cause of injury has also been shown. Taking into the nature of injury and the background of the case, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Ashok