

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7257 of 2016

- Prabhkar Singh S/o Lt. Shri Dharmraj Singh Aged About 54 Years R/o Police Station Baikunthpur Tehsil Baikunthpur, District Korea Chhattisgarh --- **Applicant**

Versus

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

For the applicant	:	Mr. Arvind Singh, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.11.2016

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 along-with other co-accused Santosh Kujur, Puneshwar, Hemant entered into a dispute with the complainant over accommodation in the lodge as one of the rooms was already booked and on asking the ID of the 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 now the

charge sheet has been filed and the case would not fall u/s 394 of IPC as the applicant went to the hotel and when the ID was asked from him, a dispute arose. He further submits that the applicant is in jail since 02.10.2016 and therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and submits that the bail application of similarly placed accused Santosh Kuzur has been rejected by this Court in M.Cr.C.No. 6312/2016 on 17.10.2016. He further submits that presently other accused are still absconding.
5. Perused the case diary documents. Taking into the medical report and the nature of injury sustained by the complainant as also the fact that the bail application of similarly placed co-accused has been dismissed by this Court on 17.10.2016 and as stated by learned State Counsel, the other accused are still absconding, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**