

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7399 of 2016

- Kishun Ram S/o Ledan Ram Aged About 52 Years R/o Kaliba, Police Station & Tahsil Kunkuri, District Jashpur, Chhattisgarh. -- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Narayanpur, District Jashpur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Vivek Tripathi, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.11.2016

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. 68/2016 registered at P.S. Narayanpur, Distt. Jashpur (C.G) for the offence punishable under Sections 307, 34 IPC and sections 25 of the Arms Act and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, on 20.06.2016 over a dispute of possession of the land, the applicant alongwith other co-accused attacked the complainant Hubeshwar Nagwanshi and his family members and during such dispute applicant Kishun Ram caused injury by way of an Arrow to Sudheshwar, who is brother of the complainant, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the dispute arose over taking possession of the land and false allegations have

been attributed. He further submits that the charge sheet has been filed and the applicant is in jail since 21.06.2016, therefore, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of complainant Hubeshwar as also the MLC. It shows that the applicant has assaulted by way of an arrow and he was also armed with a gun.
6. Taking into the nature of injury, the degree of allegations and the role played by the applicant, I am not inclined to release the applicant. According the bail application is dismissed.

Sd/-

**GOUTAM BHADURI
JUDGE**