

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7811 of 2016

Vikram Das S/o Shri Premdas Satnami, Aged About 19 Years R/o
Village Bendarchi, Thana Thankhamhariya, Tahsil - Saja, Civil &
Revenue District Bemetara Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
- Thankhamhariya, Civil & Revenue District Bemetara Chhattisgarh

---- Respondent

For applicant - Shri Sunil Sahu, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

8/12/2016

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 3/10/2016 vide M.Cr.C. No.6044 of 2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.70/2016 registered in Police Station Thankhamhariya, Distt. Bemetara for offence punishable under sections 307/34 of Indian Penal Code and Section 25, 27 of Arms Act.
3. Case of the prosecution, in brief, is that on 14/05/2016 complaint was made by Bhagchand that over assaulting the cow both the parties entered into scuffle and dispute whereby complainant Bhagchand and Pratap were assaulted by co-accused Premdas and present applicant Vikramdas by using weapon of wooden stick and sword and tried to kill the victim.
4. Learned counsel for the applicant submits that now the compromise has been affected between the complainant and the applicant, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.
6. Case is under Section 307 of IPC and under Section 25 and 27 of Arms Act. Taking into fact that the earlier bail application was dismissed on merits and no compelling circumstances appears as it is been stated that the complainant still remains to be examined before the court, therefore I am not inclined to re-consider this second bail application again.
7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE