

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7886 of 2016

- Sheikh Iqbal Ahmed S/o Shekha Chhote Ahmed, Aged About 27 Years R/o Diprapara, Durg, Ward No. 39, Tahsil & District Durg, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Pulgaon, District Durg, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. S. K. Guha, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2016

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. 275 of 2016 registered at P.S. Pulgaon, Distt. Durg (C.G) for the offence punishable under Section 304 of IPC.
2. As per the prosecution case, on 03.06.2016 the applicant alongwith other accused have inflicted injury on Siraj Khan and the applicant has caused a blow by Farsa on his head which was enough to cause his death.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no evidence is available against the present applicant and in fact the injury was inflicted by the other accused. He further submits that the charge sheet has been filed; no investigation is necessary and the applicant is in jail since 04.06.2016, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the statement of victim Siraj Khan as also the medical report. In the statement of victim the allegations have been attributed that the present applicant that he inflicted injury by way of Farsa. The victim injured has also stated that while he was going on motorcycle which was overtaken by the Auto Rickshaw and during such movement, the injury was inflicted.
6. Considering the back ground of the case and the nature of injury as also the medical report, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**