

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8029 of 2016

1. Ramjanam Patel, S/o. Radheshyam Patel, aged about 38 years, R/o. Village-Kailashpur, P.S.- Basantpur, District – Balrampur – Ramanujganj (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Basantpur, District – Balrampur – Ramanujganj (C.G.)

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate

For Respondent/State : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/12/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.31/2016, registered at Police Station – Basantpur, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 147, 294, 341, 323, 307 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Krishna Patel on 23.03.2016 alleging that he was going with Shiv Lal in a motor cycle and because of old enmity, the applicant along with other accused persons stopped them, thereafter, assaulted them by way of club, whereby severe injuries were inflicted, which was enough to cause death. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that it is a case of road accident and after the dash, two parties have entered into a dispute and there was no intention and no offence has been committed. Therefore, counsel prays that the applicant may be enlarged on bail.
4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary, statement of victim, documents and medical report. Perusal of the medical report shows that as many as 10 grievous injuries was inflicted. Considering the statement of the victim and the nature and the number of injuries, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge