

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 682 of 2017

1. Ram Anuj @ Gadariya, S/o. Bhagau Patre, aged about 60 years, R/o. Village-Gatapara, Chowki – Chilfi, P.S. - Lormi, District – Mungeli (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Office, Police Station – Lormi, District – Mungeli (C.G.)

---- Respondent

For Applicant	: Mr. Rajeev Kumar Dubey, Advocate
For Respondent/State	: Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/02/2017

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.276/2016, registered at Police Station – Lormi, District – Mungeli (C.G.) for the offence punishable under Section 147, 148, 149, 302 of the Indian Penal Code and Section 25 & 27 of Arms Act.
2. Case of the prosecution, in brief, is that a report was lodged by one Surendra Kumar that on 18.07.2016 that he along-with his uncle Janak Ram was returning from market and on the way when they reached near the house of Chandra Prakash, the present applicant along with others members of the house came out and started assaulting Janak Ram as a result of which Janak Ram died.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and only omnibus allegations have

been attributed. It is further submitted that the applicant is in jail since 19.07.2016, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of Gulaba Bai, the wife of the deceased and Surendra, eye-witness, wherein allegations have been attributed against the present applicant that he has also assaulted the deceased. Taking into such statement, 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

Balram