

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1078 of 2017

- Gajendra Singh S/o Singeshwar Singh, Aged About 56 Years R/o Village Muktiyarpur Police Station Khudwa District Aurangabad Bihar Present Address Shanti Nagar, Balgi (Near Bazar) Police Station Banki Mongra District Korba Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Kusmunda, District Korba Chhattisgarh --- **Respondent**

For the applicant	:	Mr. S.R.J. Jaiswal, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.03.2017

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. 168/2016 registered at Police Station Kusmunda, Distt. Korba (C.G) for the offence punishable under Sections 307, 452 of IPC and sections 25 & 27 of the Arms Act.
2. As per the prosecution case, there was some proposal of marriage between the daughter of applicant and the son of injured V.K. Singh's for which negotiations were going on. When the marriage proposal could not be materialized the injured and applicant landed into altercation and the present applicant who was also working as security guard along-with injured V.K. Singh assaulted him by way of gunshot and the bullet caused the injury on his leg.
3. Learned counsel for the applicant would submit that there was no intention to kill and both the parties were talking to

each other and the altercation started when some wrong was stated against the daughter of the present applicant which has ultimately led to happening of such incident. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 20.10.2016, 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 victim as also his medical report. Considering the statement of victim, I am not inclined to allow this bail application. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**