

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1022 of 2017

Pappu Satnami @ Sanat, S/o. Gulab Satnami, Aged About 28 Years, R/o. Satnami Para, Nawapara, Police Station Gobra, Nawapara, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Gobra Nawapara, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01/03/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.223/2016 registered at Police Station- Gobra Nawapara, District Raipur (C.G.) for the offence punishable under Section 452, 307 of Indian Penal Code and Section 25 & 27 of the Arms Act.
2. As per the prosecution case, a report was made on 04.09.2016 by Munni Bai that the present applicant who had previous enmity with Rajendra came to their house and thereafter with the help of a knife assaulted his brother who was in the house as Rajendra was not available and one incise wound and one stab wound were made in shoulder and chest which was enough to cause death.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, infact the brother of the injured Rajendra has misbehaved with the wife of the applicant and

therefore he went to enquire the same in the house of Rajendra and an altercation started and the applicant was also injured in the incident as some scuffle took place. He further submits that the injured was not admitted in the Hospital as the nature of injury was not fatal. Thereby, the applicant has not committed any offence to commit murder.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the eye-witness as also the medical report which would show incise wound and stab wound over the chest and shoulder of the injured. Taking into such fact, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge