

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1865 of 2017

1. Jagga @ Jageshwar Chandrakar S/o Saraju Ram Chandrakar, Aged About 26 Years, R/o Rameshwar Nagar, Bhanpuri, Thana Khamtari, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through Police Station Khamtari, Tahsil & District Raipur, Chhattisgarh.

---- Non-applicant

For Applicant – Shri A.K. Patil, Advocate.

For Non-applicant/State – Shri U.K.S.Chandel, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

03-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant is accused in Criminal Case No.23916/2016 in Crime No.476/2016, P.S. Khamtarai for the offence under Section 327, 294, 323, 506B/34 of the IPC. The matter is pending before the CJM Raipur. The injuries caused to the victims were simple in nature. Other two accused were granted bail by the coordinate Bench in MCRC No.8071/2016 vide order dated 07-02-2017. Hence, the present applicant may also be granted bail in the matter.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant and would submit that the applicant is the main accused, he caused injuries to the complainant by pelting stone. The FIR is a named one, he was absconded, the charge sheet has been filed in his absence and also in the same P.S. Khamtarai, Crime No.43/12 under Section 327, 294, 506B, 34 of the IPC, Crime No.382/12 under Section 294, 323, 506 Part II, 34, Crime No.413/13 under Section 307, 147, 148, 149 of the IPC, Crime No.484/15 under Section 294, 323, 506 Part II, 147, 146, 34 of the IPC, Crime No.356/16 under Section 25, 27 of the Arms Act has been

registered, it goes to show that in total 6 aforementioned offences were registered against the applicant which shows the criminal antecedent of the applicant. With this, the present MCRC may be dismissed.

4. Perused the material.

5. On due consideration, for the facts that the applicant is main accused in the matter, he was absconding though surrendered on 27-02-2017 before the criminal court and in the light of 5 more other criminal cases registered in P.S. Khamtarai, I am not inclined to grant bail to the applicant.

6. The MCRC dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE