

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4583 of 2017**

1. Nawaz Hussain S/o Jumman Hussain Aged About 30 Years Caste-Muslim, R/o Barbaspur, Nawapara, Police Station Pratappur, District-Surajpur, Chhattisgarh.
2. Mujahid Ansari S/o Aanwarul Huqe, Aged About 59 Years Caste-Muslim, R/o Barbaspur, Nawaapara, Police Station Pratappur, District-Surajpur, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through - The District Magistrate, Durg, CG.

---- Respondent

For applicant	Mr. A.K. Prasad, Advocate.
For Respondent/State	Mr. Suryakant Mishra, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****2-11-2017**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no bail application is pending before any other court.
2. Counsel for the applicants produced the copy of charge sheet of Crime No. 68/2017 registered in police station Jashpur, Distt. Jashpur (CG) for offence punishable under Ss.147, 307 and 364 of the IPC.
3. In brief, prosecution story is that 24-3-2017 at 9 pm. complainant Jyoti Prakash Singh was supervising the work of contractor Rajnikant Singh. At that time 14 to 15 persons reached there in a Bolero vehicle. They demanded key of the Roller and Pekar. During conversation, Co-accused Diklesh Netam, Manveer Ram Lakda, Anil Gupta, Maksood Ahmad and present applicant No. 1 Nawaj Hussain and applicant No. 2 Mujahid Ansari, abused the complainant. Co-accused Diklesh caused injury by knife on the abdomen of the complainant. Other co-accused beat him by hands, fists and hockey. In the medical report, the doctor opined that injuries are threatening to life if not

treated properly. He also opined that the injuries are not dangerous. It is also part of the prosecution story that those persons after beating complainant took him in the said vehicle and threw down him near a petrol pump at Bagicha.

4. Counsel for the applicants argued that the applicants are innocent and falsely implicated. The injuries caused to the complainant are not grievous hence they may be released on bail.
5. On the other hand, the State counsel opposed the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicants.
7. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge