

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1268 of 2016**

1. Ghanshyam Kenvat S/o Dev Singh Kenvat, Aged About 40 Years
2. Ramu Kenvat, S/o Ghanshyam Kenvat, Aged About 20 Years

Both R/o Village Podidalha, Police Station / Tahsil Akaltara, District Janjgir
Champa Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh District Magistrate, Janjgir, Through Police
Station - Akaltara, District Janjgir Champa Chhattisgarh

---- Respondent

For applicant	Mr. Sameer Singh, Adv.
For Respondent/State	Mr. Anant Bajpai, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****29/03/2017**

1. Heard finally.
2. The applicant has preferred this application under Section 438, Cr.P.C. for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 216/2016 registered in PS Akaltara, Distt. Janjgir Champa (CG) for offence punishable under Section 294, 506, 323/34, 452, 302, 147, 148, 307 of the IPC.
3. At the out set learned counsel for the applicants submits that he wants to withdraw the bail application filed on behalf of applicant No. 1 Ghanshyam Kenvat.
4. As prayed, instant bail application preferred on behalf of applicant No. 1 Ghanshyam Kenvat is dismissed as withdrawn.
5. As regards applicant No. 2 Ramu Kenvat, learned counsel for the applicant submits that he is aged about 20 years. His name is not surfaced in the FIR. His name appears in the statement under Section 161 of the Cr.P.C. of the eye-witnesses after 6 days of the lodging of the FIR. He is resident at Podidalha and the incident is committed at

village Madhuva.

6. Learned counsel for the State opposed the bail application and submits that as the matter is in relation to offence under Section 302 of the IPC along with other penal provisions, eye-witnesses have stated the role of applicant No. 2, applicant No. 2 assaulted by club, his name is mentioned in the memorandum of other co-accused persons.
7. Perused the material available.
8. On due consideration of the entire evidence collected against applicant No. 2 I am not inclined to grant anticipatory bail to applicant No. 2. Consequently, instant MCRCA is dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge

Pathak