

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2482 of 2017

Mohammad Yusuf Ansari @ Sikandar, S/o. Mohammad Kari Akimuddin,
Aged About 25 Years, R/o. Village Datima, Police Chowki- Karanji, Police
Station Bishrampur, Tahsil & District Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Chowki
Karanji, Police Station Bishrampur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. R.V.Rajwade, Advocate

For Respondent : Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.04.2017

1. This is second 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.179/2016 registered at Police Chowki- Karanji, Police Station- Bishrampur, District Surajpur (C.G.) for the offence punishable under Section 147, 294, 506-B & 307 of Indian Penal Code. The first bail application was dismissed on 17.11.2016 in MCRC No.7054 of 2016.
2. Case of the prosecution, in brief, is that on 09.08.2016 a report was made by the complainant Halima Bibi that when she along with her family members was constructing the house in Khasra No.12/3, at that time the applicants who are related to them came there by Tata Sumo bearing registration No.CG 15-B 2093 and objected about such construction. Applicant No.1 Mohamad Kari Akimuddin assaulted Halima Bibi by way of brick and other

applicants also assaulted her by hands and fists. Subsequently, applicant No.2 Mohamad Yusuf Ansari @ Sikandar with intention to kill her tried to crush the victim by vehicle and she avoided the same and one tyre of the said vehicle went over her right leg and thereby the aforesaid offence was committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case, the charge sheet has been filed and the applicant is in jail since 10.08.2016, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the earlier bail rejection order. Considering the same, I do not find any change of circumstances to reconsider the instant second bail application.
6. Accordingly, the bail application is dismissed at the admission stage itself.

Sd/-
(Goutam Bhaduri)
Judge