

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 139 of 2018**

1. Vishnu Prasad S/o Dharmapal, aged about 35 years, R/o Village Tengni, Police Station Patna, Tahsil Baikunthpur, District Korea (C.G.)
2. Vijendra Prasad S/o Dharmapal, aged about 38 years, R/o Village Tengni, Police Station Patna, Tahsil Baikunthpur, District Korea (C.G.)

----Applicants**Versus**

The State of Chhattisgarh, through the Station House Officer, Police of Police Station – Patna, District Korea (C.G.)

---- Non-applicant

For Applicants	:	Mr. Anil Gulati, Advocate.
For Respondent/State	:	Mr. Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****26/06/18**

1. Apprehending arrest in connection with Crime No.299/2017, registered at Police Station- Patna, District- Korea (CG), for the offence punishable under Sections 294, 506, 307 R/w Section 34 of the IPC, the applicants have filed this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that on 08.12.2017, the applicants caused grievous injury to the complainant Arvind Kumar Vishwakarma which was sufficient to cause death of the complainant and thereby committed an offence under the aforesaid Sections.
3. Learned counsel for the applicants would submit that the applicants

have falsely been implicated in crime in question and have not committed any offence. They were assaulted by the complainant and have suffered grievous injury and were also hospitalized for fairly long time against which the applicants have lodged complaint against the complainant under Section 147, 149, 307 and 456 of the Indian Penal Code.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the present applicants; injuries suffered by the complainant, I do not consider it a fit case for grant of anticipatory bail.

7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is rejected.

Sd/-

(Sanjay K. Agrawal)

Judge