

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 365 of 2018

1. Prabhakar Yadav S/o Late Dhanurjay Yadav Aged About 45 Years,
2. Sandeep Yadav S/o Prabhakar Yadav Aged About 22 Years

Both are R/o Village Jhagarpur, P.S. Bageecha, District Jashpur
Chhattisgarh

---- Applicants

Versus

State of Chhattisgarh, Through The Station House Officer, Police
Station Bageecha, District Jashpur Chhattisgarh

----Non-applicant

For Applicants	:	Mr. J.K. Shashtri, Advocate.
For Non-applicant/State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/05/2018

1. The present is an application under Section 438 of Cr.P.C. seeking grant of anticipatory bail to the applicants who are apprehending their arrest in connection with Crime No. 30/2018, registered at Police Station Bageecha, District Jashpur, Chhattisgarh for the offence punishable under Sections 292, 506-B, 323, 427, 34 of Indian Penal Code.
2. The allegations against the present applicants as per the case of prosecution is that the present applicants along with the other accused persons is said to have on the date of incident assaulted Rishi Paikra, on account of which he lost consciousness and the Mohit Gupta immediately took the injured to the hospital and had also lodged the F.I.R.
3. The counsel for the applicants submits that it is a case where the present applicants have been falsely implicated in the case on account of some property disputes with the complainant party and

therefore considering the nature of allegation and the facts and circumstances of the case, the present applicants may be granted the benefits of anticipatory bail.

4. The State counsel on the contrary opposing the bail application submits that it is a case where there are prima facie materials against the present applicants of having assaulted the injured Rishi Paikra. The State counsel further drew the attention of the Court that there have been large numbers of criminal cases registered against these two applicants in the past also, in as much as there are 25 cases registered against the applicant No.1 and 5 cases registered against the applicant No.2 in the past.
5. Having heard the contentions put forth on either side and on perusal of the record, particularly taking into consideration the nature of materials collected during the course of investigation, this Court does not find a strong case for grant of anticipatory bail.
6. Accordingly, the present MCRCA stands rejected.

Sd/-
(P. Sam Koshy)
Judge