

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2486 of 2018**

Vinod Kumar Dewangan, So. Kunjilal Dewangan, Aged About 31 Years, R/o.-
Village Thanapara Champa, Police Station Champa, Civil And Revenue
District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- The Station House Officer, Police Station
Champa, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Punit Ruparel, Advocate

For State/respondent : Mr. Ashok Swarnakar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**17/05/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.56/2018, registered at Police Station – Champa, District – Janjgir-Champa (C.G.), for the offence punishable under Section 307 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this. Complainant/injured is wife of this applicant and because of some scuffle between the husband and wife, complainant fell down from the roof and she has made false allegation that the applicant is the person, who has thrown

her from the roof. It is submitted that the applicant has minor son to take care for, hence, it is prayed that the applicant may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that complainant/injured has made direct allegation against this applicant through her written complaint and statement given in the investigation and also looking to the injuries that victim has suffered, no case is made out for grant of bail to the applicant.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case on the date of incident, this applicant came in inebriated condition to which the complainant his wife objected because of which, this applicant caught hold of her and threw her from the roof. The complainant fell down on the ground and suffered internal, external and grievous injuries and she went unconscious for three days. When she regained consciousness, she has given written complaint and on that basis, FIR has been lodged.
6. Considered on the submissions made and the contents of the case diary. Looking to the nature of offence committed and brutal behavior of this applicant, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge