

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6341 of 2018**

Surendra Goyel, son of Itwari Goyel, aged about 30 years, resident of village Jhal, Police Station Navagarh, District Bemetara (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Navagarh, District Bemetara (CG).

---- Non-applicant

For Applicant : Mr. Prakash Mishra, Advocate

For Non-applicant : Mr. Ramakant Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**29.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the copy of charge-sheet provided by the counsel for the applicant in connection with Crime No.62/2018 registered in Police Station Navagarh, District Bemetara for the offence punishable under Sections 307 & 326A of IPC.
3. Case of the prosecution, in brief, is that on 10.04.2018 at about 7:20 pm, the complainant Sanjay Sonwani was talking with his friend complainant Sukhnandan Bhaskar near Government Tube well at Village Jhal at that time, the applicant reached there along with acid and poured acid on the body of the complainant Sanjay Sonwani. Some acid has fallen on the body of his friend complainant Sukhnandan Bhaskar. As per MLC reports of the complainants, the injuries were grievous in nature.
4. Counsel for the applicant submitted that there was a contradiction in FIR and the statement of complainant Raju Sonwani. He further submitted that the applicant has not committed any offence. He is

innocent and has been falsely implicated in the crime in question and as such the applicant may be released on bail.

5. On the other hand, counsel for the State opposed the prayer for grant of bail to the applicant.
6. I have heard counsel appearing for the parties and perused the case diary with utmost circumspection.
7. The aforesaid fact is subject matter of the scrutiny to be done by the Trial Court at the time of final disposal of the case. At this stage, the applicant does not get any help regarding for grant of bail from the said fact.
8. Looking to the above mentioned facts and circumstances of the case, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.
9. Consequently, the bail application is rejected.
10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-