

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7841 of 2018**

Ghanshyam Nishad @ Baghva S/o Shri Bhoolan Kumar Nishad Aged
About 22 Years R/o Brahmdai Para, P. S. Khamtarai, District Raipur
Chhattisgarh, District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through P. S. Khamtarai, District Raipur
Chhattisgarh, District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Arpana Singh, Advocate
For the State	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****15/11/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.296/2018 registered at Police Station Khamtarai, District Raipur (C.G.) for the offence punishable under Section 307, 34 of IPC.
3. Case of the prosecution, in brief is that complainant is the resident of Shivanand Nagar, Raipur. On 21/05/2018 about 3 p.m. applicant and co-accused S. Sai Kumar by hands and fist caused the injuries on the body of the complainant Rupesh Kumar Jivnani, co-accused Rajesh Nishad caused injury on his abdomen another co-accused Under @ Shiv caused injury on his body by burning wood.
4. Counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. As per the MLC report of said complainant one stabbed injury was found on his abdomen which was grievous in nature.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
8. Consequently, bail application is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge