

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1486 of 2019**

Amit Meshram, aged about 18 years, son of Visambhar Meshram, resident of Sarvoday Nagar, Raipur, Police Station Rajendra Nagar, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station New Rajendra Nagar, Raipur, District Raipur (CG).

---- Non-applicant

For Applicant	: Mr. L.C. Dash, Advocate
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

14.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.155/2018 registered in Police Station New Rajendra Nagar, Raipur, District Raipur for the offence punishable under Sections 294, 323, 506, 324, 307, 34 of IPC and Sections 25 & 27 of Arms Act.
3. Case of the prosecution, in brief, is that on 03.08.2018 near Pachpedi Naka Bus Stand at Raipur, applicant and co-accused Sonu Naag and Ankit Upadhyay abused the complainant Sharda Prasad Kesharwani and they beat him by hands and fists. One co-accused caused injury by knife on his abdomen. As per medical papers of the said complainant on his abdomen penetrating injury was found and his intestine was come out.
4. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. She submitted that one another criminal case under Sections 294, 323, 506 & 307 of IPC and Sections 25 & 27 of Arms Act has already been registered against the applicant in police case diary.
6. Looking to the 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. Consequently, the bail application is rejected.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE