

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2107 of 2019**

- Khanna Sahu S/o Sanat Sahu Aged About 20 Years R/o Village Tarenga, Police Station Bhatapara District Balodabazar Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Bhatapara (Gramin) Police Station, Bhatapara, District Baloda Bazar Bhatapara Chhattisgarh

---- Non Applicant

For the Applicant	:	Shri B. Madhav Rao, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****18.04.2019**

1. This is the first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.44/2019 registered at Police Station- Bhatapara(Gramin), District-BalodaBazar- Bhatapara (C.G.) for the offence punishable under Sections 294, 506, 323, 307, 34 of IPC.
3. Case of the prosecution, in brief is that on 28.01.2019 at about 3:00 pm, at village Kulipota, co-accused Chandu Sahu, Sanad Sahu caught hold complainant Mannu Yadu, co-accused Chandu Sahu beat him, applicant caused injury on his head by iron rod. As per the MLC report of complainant two lacerated wounds were found on his occipital region caused by hard and blunt object. As per the query report doctor stated that if he could not have received treatment in proper time then he might have died.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, looking to the material available on record, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Certified copy as per rules.

Sd/-**(Sharad Kumar Gupta)**

Judge

Parul