

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 618 of 2019

- Suraj Singh Thakur, S/o Shri Santosh Singh Thakur, Aged About 26 Years R/o LIG - 133, Maharana Pratap Nagar, Korba, Police Station Kotwali, Korba, District Korba Chhattisgarh.

---- Applicant

Versus

- State of Chhatisgarh Through Station House Officer, Police Station - Ajak, District-Korba Chhattisgarh.

---- Respondent

For Applicant : Mr. Shubham Tripathi, Advocate.
For Respondent : Mr. Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

30/04/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.33/2018 registered at Police Station-Ajak, District-Korba(C.G.), for the offence punishable under Sections 307/34 of the Indian Penal Code and Section 3(1)(R),3(1)(S),3(2)(5A) of SC & ST (Prevention of Atrocities) Act.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant. The applicant was though found present on the spot of incident because he was there on call made by Pradeep Lahre just by way of curiosity. He has not participated in the incident and the assault by knife was made by the co-accused Pradeep Lahre on the victim in

which this applicant had played no role, hence, it is prayed that he may be granted anticipatory bail.

3. Learned State Counsel opposes bail application and submissions made in this respect. It is submitted that the victim in this case has very clearly named that after engaging in quarrel with main accused Pradeep Lahre he called his friends and then all of them assaulted the victim with hands and fists, thereafter at the same time Pradeep Lahre stabbed him with a knife causing fatal injury on his abdomen, therefore, application be rejected.
4. Heard both the parties and perused the case diary.
5. According to the FIR lodged, the victim Chandrakant and co-accused Pradeep Lahre had a quarrel between them, when Pradeep Lahre called his friends for his assistance. The applicant also arrived along with others, then all of them abused the complainant who is a member of Scheduled Caste and then the main accused Pradeep Lahre assaulted the victim with knife causing injury on his abdomen with intention to cause his death.
6. According to the statement of the victim, it appears that this applicant was present through out the incident that has taken place, therefore, no extraordinary case is made out in his favor, therefore, I do not feel inclined to grant anticipatory bail to this applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge