

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4009 of 2019**

Anjordas S/o Charandas Mahilange Aged About 35 Years
R/o Dodkibhata, Police Station Bilha, Tahsil And District-
Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer,
Police Station Bilha, Civil And Revenue District- Bilaspur,
Chhattisgarh., District : Bilaspur, Chhattisgarh .

---- Respondent

For the Applicant	:	Shri Kaushal Yadav, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**11/07/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was rejected by this Court on 26/02/2019 in MCRC No. 1088/2019 considering the *prima facie* case against him.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.237/2018 registered at Police Station Bilha, District Bilaspur (C.G.) for the offence punishable under Sections 294, 506, 323, 307 of IPC.
3. Case of the prosecution, in brief is that on 07/08/2018 about 6 p.m. at village Dodkibhata, applicant caused injuries on the body of complainants Bhagbali and Jitendra Kumar by wooden club. He has also abused them. As per MLC of complainant Bhagbali swelling, bleeding in left eye abrasion on left hand were found. As per the MLC report of Jitendra Kumar pain and abrasion were found. As per the query report left zygomatic frontotemporal low

fracture was found on head of complainant Bhagbali. As per the CT Scan intra cerebral hematoma was suggested regarding complainant Bhagbali.

4. Counsel for the applicant submitted that *prima facie* no case is made out under Section 307 of IPC. He further submitted that complainant Jitendra has turned hostile, thus he may 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 certified copy of the statements of complainants Bhagbali and Jitendra, which are the part of bail application they had stated against the applicant during examination-in-chief.
7. There is no change of circumstances which may entitle applicant to release on bail in second round of litigation, consequently, second bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge