

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1134 of 2019**

1. Kamlesh Shukla S/o Indramani Shukla Aged About 47 Years R/o Naya Talab Gudhiyari, Police Station Gudhiyari Raipur, Tahsil And District Raipur Chhattisgarh
2. Raju Shukla S/o Indramani Shukla Aged About 45 Years R/o Naya Talab Gudhiyari, Police Station Gudhiyari Raipur, Tahsil And District Raipur Chhattisgarh

---- Applicants**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Gudhiyari, District Raipur Chhattisgarh

---- Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Adv.
For Non-applicant	:	Mr. Suyash Dhar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****17.09.2019**

1. This is an application for grant of anticipatory bail under Section 438 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.

2. The applicants are apprehending their arrest in connection with Crime No.153/2019 registered at Police Station- Gudhiyari, District- Raipur (C.G.), for offence punishable under Sections 294, 323, 506, 326/34 of I.P.C.
3. Case of the prosecution, in brief is that on 16.04.2019 at about 22:20 hours complainants Raju Sahu and Kamlesh Sahu had gone to the house of applicant Raju Shukla. Applicant Kamlesh Shukla was present there who started to beat them. Applicant Raju Shukla came along with Stump, abused complainants Raju Sahu and Mohan Sahu, threatened to kill them and beat them. He caused injury by stump on the head of complainant Raju Sahu.
4. Learned counsel for the applicants submits that the applicants have no criminal background. They are innocent and have been falsely implicated in the present case. Complainants are aggressor they had come to the house of applicant Raju Shukla. Complainant party beat the applicants. Applicants had lodged the report earlier. Thus applicants may be released on anticipatory 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 applicants.
6. Looking to the above mentioned facts and circumstances of the case, looking to the prima facie material available on record against the applicants, this Court finds that it is not a fit case where applicants may be released on anticipatory bail.
7. Consequently, the present anticipatory bail application is rejected.

Sd/-

(Sharad Kumar Gupta)

JUDGE