

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8008 of 2018**

Jittu @ Chitren Upadhyay S/o Holika @ Sushil Aged About 26 Years
Occupation Student R/o Village Magarwah, Police Station And Tahsil
Sahaspur Lohara, District Kabirdham Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate Kawardha
District Kabirdham Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Dharmesh Shrivastava, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**11/02/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.135/2018 registered at Police Station Sahaspur Lohara, District Kabirdham (C.G.) for the offence punishable under Sections 294, 323, 506 and 307 of IPC.
3. Case of the prosecution, in brief is that complainants Deepak Sahu and Jayant Kumar Sahu are the resident of village Ranveerpur. On 01/08/2018 complainant Deepak Sahu had told to applicant to drive the vehicle slowly. Applicant abused complainant Deepak Sahu and slapped him gave threats to kill him, thereafter complainant Jayant Kumar Sahu along with some other persons had gone to house of applicant and inquire the matter. Applicant abused him and caused injury on his neck by large scissor. As per the MLC report one incised wound was found over left side of the neck.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that five other criminal cases under CrPC have been registered against the applicant.
6. Looking to the facts and circumstances of the case, looking to this fact that five other criminal cases have been registered against the applicant, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge