

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8644 of 2018**

- Shrawan Kumar S/o Jagatram Aged About 35 Years Caste - Uraon, R/o Panchvatipara (Chandrauti), Police Station Passan, Tahsil Podiuproda, District Korba Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Passan, District Korba Chhattisgarh.

---- Respondent**MCRC No. 9439 of 2018**

- Brindavan Kujur S/o Jagatram Aged About 45 Years R/o Village Chandouti, Police Station Pasan, Tahsil Podi Uproda, District Korba CG

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Pasan, District Korba Chhattisgarh

---- Respondent**MCRC No. 9614 of 2018**

- Gangoli S/o Baldev Kujur @ Motu Aged About 27 Years R/o Village Kutelatoli Chandrauti ,police Station Pasan District Korba CG

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer ,police Station Pasan District Korba Chhattisgarh.

---- Respondent

For applicants in MCRCs No. 8644/2018 and 9614/2018

Mr. Aditya Khare, Adv.

For applicant in MCRC No. 9439/2018

Mr. Qamrul Aziz, Adv.

For Respondent/State

Ms. Sangeeta Mishra, Govt.

Advocate.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

21-1-2019

1. As all the above three bail applications arise out of same crime number of same police station, they are being disposed of by this common order.
2. These are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
3. The applicants have been arrested in connection with Crime No. 55/2018 registered in police station Passan, Distt. Korba (CG) for offence punishable under Section 307/34 of IPC.
4. Perused the case diary.
5. Prosecution story in brief is that on 9-7-2018 at about 10.00 am at village Karamdoli, Chandrauti Kateltola, on account of ploughing the field, applicants and co-accused Baldev started abusing and caused injuries by club and axe on the head of complainant Hansaram Kujur. When complainant Surendra intervened, co-accused Baldev caused injury on his head by club. Applicant Sarwan caused injury on body of complainant Amarlal Kujur by wooden log. Accused Vrandavan caused injuries on cheek of complainant Premasagar Kujur by axe. They had also given threat to kill them.
6. As per MLC report of complainant Amarlal Kujur, tenderness on right shoulder and mild contusion over right shoulder caused by hard and blunt object were found.
7. As per MLC report of complainant Premasagar Kujur, swelling and tenderness in both hand, tenderness in right shoulder caused by hard and blunt object were found.
8. As per MLC report of Surendra Kumar, one lacerated wound size 6 x 1 x 1 cm over left parieto-temporal region caused by hard and blunt object was found.
9. As per MLC report of complainant Hansaram Kujur, one incised wound over left occipital region size 7 cm x 1 cm x 1 cm caused by sharp object, one incised wound over upper lip size 5 cm x 1

cm x 1 cm and another lacerated wound caused by hard and blunt object was also found.

10. As per query report, the doctor opined that injuries found on the body of Hansaram Kujur were dangerous to life. As per X-ray report of Hansaram Kujur, no bony injury was seen.
11. Counsel for the applicants argued that the applicants are innocent and falsely implicated. They further argued that there was land dispute and civil suit is pending in the civil court. Hence they may be released on bail.
12. On the other hand, the State Counsel opposed the bail applications.
13. Looking to the facts and circumstances of the case, looking to the nature of injuries caused to Hansaram Kujur, Court is not inclined to grant bail to the applicants.
14. Consequently, the MCRCs are dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge