

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.5259 of 2018**

1. Gaurishanker, S/o Kashi Prasad Chandra, aged about 22 years.
2. Kashi Prasad, S/o Chini Lal Chandra, aged about 55 years.

Both are resident of Village Katoud, Police Station and Tahsil Dabhra, District Janjgir Champa (CG). **---- Applicants**

**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Dabhra, District Janjgir Champa (CG). **---- Non-applicant**

**AND****MCRC No.9328 of 2018**

Smt. Guddi Chandra @ Chandrakumari, wife of Shiv Charan Chandra, aged about 30 years, R/o Village Karigaon, Tahsil Malkharouda, Police Station Malkharouda, Civil and Revenue District Janjgir Champa (CG). **---- Applicant**

**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Dabhra, Civil and Revenue District Janjgir Champa (CG). **---- Non-applicant**

For Applicants : Mr. Anil Gulati and Mr. Punit Ruparel, Advocates

For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

**Hon'ble Shri Justice Sharad Kumar Gupta****Order On Board****07.01.2019**

1. Above mentioned two bail applications arise out of a common Crime No.230/2018 registered at Police Station Dabhra, District Janjgir Champa for the offence punishable under Sections 294, 323/34, 506-B, 302, 307 of Indian Penal Code, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the CrPC.
2. Prosecution story in brief is that on 17.05.2018 at about 7:30 p.m.in village Katoud, some used disposal glasses were reached in the courtyard of the applicant No.2-Kashi Prasad through air. Applicants reached in front the house of deceased Keshav Prasad Chandra; and they abused the deceased, complainants Chheeti Bhusan Chandra and Smt. Rameshwari. Applicant No.2-Kashi Prasad caused injury on the head of the complainant Chheeti Bhusan

Chandra. Applicant No.1- Gaurishanker, who had the iron rod caused injury on the head of deceased Keshav Prasad Chandra. Applicant No.1-Gaurishanker and applicant-Smt. Guddi Chandra @ Chandrakumari had beat the complainant Smt. Rameshwari by axe. On 23.05.2018 deceased Keshav Prasad Chandra succumbed on account of injury sustained by him. As per MLC report, one lacerated wound was found on the head of complainant Chheeti Bhusan Chandra, which was simple in nature.

3. Counsel for the applicants respectively submitted that the applicants are innocent and have been falsely implicated in the present case. They further submitted that the applicants has also lodged the report against the said complainants and deceased.
4. Counsel for the State opposed the prayer for grant of bail.
5. Looking to these facts and circumstances of the case, looking to the seriousness of the offence; and looking to the impact of granting bail to the applicants on society, this Court is not inclined to give benefit of Section 439 of CrPC to the applicants. Consequently, the bail applications (M.Cr.C. No.5259/2018 & M.Cr.C. No.9328/2018) are rejected.
6. Certified copy as per rules.

**Sd/-**

(Sharad Kumar Gupta)  
**JUDGE**

L/-