

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9069 of 2018**

Anurag Suryavanshi S/o Ramnarayan Suryavanshi Aged About 26 Years R/o Village - Khokhra, Police Station And Tahsil - Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Janjgir, District - Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vishnu Koshta, Advocate
For the State	:	Shri I. Lakra, Dy. Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**21/01/2019**

1. This is the second bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Case diary not produced. Photocopy of the charge-sheet produced by counsel for the applicant for perusal of this Court in connection with the Crime No.494/18 registered at Police Station Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Sections 294, 323, 327, 307, 506 of IPC.
3. Earlier bail application was rejected on merits by this Court on 25/10/2018 in MCRC No. 6911/2018.
4. Case of the prosecution, in brief is that Girja Singh Gaharwar was the Supervisor of the Contractor Subhash Kumar Agrawal. On 17/08/2018 applicant quarreled with him abused him and asked that they have dumped the boulder in his land, thus they pay rent for it. At that time complainant-Chowkidar Manoj Kumar Suryawanshi reached there and tried to pursue. Applicant threatening complainant Manoj Kumar abused him and caused injury on his head by iron pipe. Fracture was found on his temporal and parietal bone. Private doctor had given the opinion that if the complainant Manoj Suryawanshi would not have get complete treatment then he may die.
5. Counsel for the applicant submitted that earlier the case was registered under Section 294, 323, 327, 506 of IPC later on Section 307 was added. There was no intention to kill the complainant. Now the charge-sheet has been filed thus he may be released on bail.
6. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case.
7. On the other hand, counsel for the State opposes the bail application.
8. Mere filing of charge-sheet is not such change of circumstance which

may entitled the applicant on bail in second round.

9. There is no change of circumstance which may entitled applicant to get the benefit under Section 439 of CrPC. Accordingly, second bail application is dismissed.
10. Trial Court is directed to expedite the trial and dispose of the case as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde