

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10017 of 2018**

Raju Yadav S/o Ramadhin Yadav Aged About 36 Years R/o M. G. Ward, Kanker, District Uttar Bastar, Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Applicant**Versus**

The State Of Chhattisgarh Through Police Station Kanker, District U. B. Kanker Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Parag Kotecha, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****22/01/2019**

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.286/2018 registered at Police Station Kanker, District Uttar Bastar Kanker (C.G.) for the offence punishable under Section 307 and 294 of IPC.
3. Case of the prosecution, in brief is that complainant Ganesh Netam was used to work on wages at Mutton Market, Kanker. On 30/08/2018 about 4.10 p.m applicant was abusing Ward Member Deepak Khatwani near the old Market. Complainant intervened. After some time applicant reached there holding large knife and caused injury on his head.
4. As per the MLC report of the complainant MLC of complainant 1 lacerated wound size 6 c.m. x 2 c.m. was found in left temporal region. As per query report doctor opined that if immediate medical treatment would have not been provided to the complainant then he might have been died.
5. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He

further submits that no criminal antecedents against the applicant.

7. Counsel for the applicant drew my attention on the photocopy of paper which is part of charge-sheet where it has been mentioned that complainant injured due to falling shutter. He also drew my attention on CT Scan of the head where it has been mentioned that no significant intracranial abnormality detected, applicant is in jail from 01/09/2018.
8. Looking to the facts and circumstances of the case, looking to the MLC report of complainant, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde