

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 213 of 2020**

- Sanjay Sidar S/o Dwarika Sidar Aged About 26 Years Resident of Village Nawapara Khurd, Police Station Sakti, District Janjgir Champa Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- The Station House Officer, Police Station Sakti, District- Janjgir-Champa Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Tapan Kumar Chandra, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order on Board****19-06-2020**

Heard.

1. The applicant has preferred this bail application under Section 438 of Code of Criminal Procedure 1973 for grant of anticipatory bail apprehending his arrest in connection with Crime No. 403 of 2019 registered at Police Station Sakti, District Janjgir-Champa (C.G.) for alleged commission of offence under Sections 323, 452 and 506 of IPC.

2. Case of the prosecution is that on 12-10-2019 at about 2.00 a.m. in the night, applicant entered the house of complainant and when complainant caught him red-handed, complainant was assaulted by the applicant in which, complainant sustained four

injuries.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated as the applicant was contesting election for punch in the Panchayat Election and the complainant had a motive to falsely implicate him against the election winning prospects of the applicant.

4. On the other hand, learned counsel for the State opposes the prayer for grant of anticipatory bail and submits that as per FIR lodged by the complainant, the applicant entered the house of the complainant in the mid-night and when she caught the applicant on the spot, she was assaulted by the complainant in which she sustained four injuries. He would further submit that the incident has also been witnessed by other witnesses.

5. Considering the submissions of learned counsel for the parties, particularly taking into consideration that the motive for false implication is not supported by any material to show that the applicant was contesting in election or that the complainant had a motive to falsely implicate him to desist him from contesting election on the face of report, statement and injury report, no case is made out for grant of anticipatory bail.

6. Accordingly, the application being devoid of merit is liable to be and is hereby rejected.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E

Raju