

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 409 of 2020

Ramnarayan Yadav, S/o Shri Richku Yadav, Aged About 55 Years R/o Village - Ghui, Police Station - Ramkola, Tehsil - Pratappur, District - Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through, Police Station Ramkola, District - Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Deepali Dubey, Advocate
For State	:	Shri Dinesh Tiwari, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/06/2020

Heard.

1. The applicant has filed this application for grant of anticipatory bail under Section 438 Cr.P.C. as he is apprehending his arrest in connection with Crime No. 26/2019, registered at Police Station -Ramkola, District- Surajpur (CG) for the offence punishable under Sections 294, 506, 323 and 307 IPC.
2. Case of the prosecution is that the applicant assaulted victim -Gopal Ram Yadav with the help of an axe with intention to cause his death, in which incident, grievous injury was caused by sharp edged weapon on the neck of the victim.
3. Learned counsel for the applicant would submit that the applicant is being falsely implicated. The applicant has not committed any such offence and there is a motive for false implication by Gopal Ram Yadav and other persons. Therefore, under these circumstances, the applicant may be protected.

4. On the other hand, learned counsel for the State opposed the bail application. He submits that the injured and other witnesses have clearly stated regarding assault made with the help of axe on the neck of victim Gopal Ram Yadav. Therefore, at this stage, the applicant is not entitled to grant of anticipatory bail.
5. Having considered the submissions made by learned counsel for the respective parties, considering the material disclosed by the State counsel and also that the injured Gopal Ram Yadav himself has stated that it is the applicant who assaulted him on the neck with the help of axe, no case for grant of anticipatory bail is made out.
6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge