

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3904 of 2020

Moh. Fazal Khan S/o Mohammad Hanif Khan Aged About 32 Years R/o A-201, Selino Paradise Complex, Daldal Sivni, Pandri, Raipur, District Raipur Chhattisgarh
---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Pandri, Raipur, District Raipur Chhattisgarh
---- **Respondent**

For Applicant	:	Shri Shobhit Mishra, Advocate
For Respondent/State	:	Shri Alok Bakshi, Additional A.G.

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

Order On Board

17/08/2020

Heard.

1. The applicant has been arrested in connection with Crime No.63 of 2020 registered at Police Station- Pandri, District Raipur (CG) for the alleged commission of offence under Section 307, 188 of IPC and Section 25, 27 Arms Act.
2. Case of the prosecution is that the applicant assaulted the victim Ankit with the help of a knife and caused stab injuries on the chest, abdomen and thigh.
3. The argument of learned counsel for the applicant is that he has been falsely implicated and he has not assaulted the victim. There are contradictions in the diary statements of the victim Ankit and guard Bhupendra Shukla. There were complaints against Bhupendra Shukla. The statement of the victim's parents and wife has not been taken. Wife of the victim has also sustained injury that has not been enquired into. The CCTV footage was not connected and deliberately avoiding by falsely stating that CCTV was not working. Therefore, present is a case of false implication of the applicant.
4. On the other hand, learned State counsel opposes the prayer and submits that according to the diary statement and injury reports, victim sustained

three stab injuries by knife caused on chest, abdomen and thigh and he has clearly stated in his diary statement supported by other witnesses that it is the applicant, who has assaulted the victim.

5. Considering the submission of learned counsel for the parties and the material on record, present is not a fit case for grant of bail to the applicant. The bail application is rejected.
6. As the applicant was enjoying interim bail which is going to expire today, the applicant shall positively surrender today itself before the concerned Court, failing which, appropriate steps shall be taken to arrest him.

Sd/-
(Manindra Mohan Shrivastava)
Judge