

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 471 of 2021**

- Shesh Dev Patel (Malakar) S/o Late Shri Tekram Aged About 62 Years Occupation Agriculturist , R/o Village Barampura, Thana Sariya , Tahsil Baramkela, District Raigarh Chhattisgarh

---- Petitioner**Versus**

- The State Of Chhattisgarh Through The Station House Officer Police Station Sariya , District Raigarh Chhattisgarh

---- Respondent

For Applicant
For Respondent /State

Mr. Sunil Sahu, Advocate
Mr. Alok Nigam, Government
Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****18/3/2021**

1. Heard.
2. This is the second application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.60/2020 registered at Police Station Sariya, District Raigarh for the offence punishable under Sections 147,148, 294, 323, 506, 307 of the IPC.
3. The first application preferred by the applicant was dismissed as withdrawn with liberty to revive the prayer at an appropriate

stage. However, by the same detailed order, bail was granted to two ladies (accused) namely Tara Bai Patel (Malakar) and Smt. Manju Patel (Malakar).

4. Learned counsel for the applicant would argue that the applicant is in jail since last for about 9 months, therefore, he deserves to be released on bail.
5. Learned counsel for the State would oppose the prayer for grant of bail.
6. Considering the fact that victim Digeshwar Patel and other members of his family were attacked by the accused persons by means of *danda*, club, hands & fists and the victim has suffered fracture of left fronto parietal bone and was having intracranial bleeding as also bleeding from nose and the present applicant has also taken active part in making assault and that the second bail application preferred by another accused Hemsagar Patel (Malakar) vide MCRC No.1315/2021, has been dismissed by this Court on 10.3.2021, I am not inclined to release the applicant on regular bail.
7. Accordingly, the bail application is dismissed.

Sd/-

(Prashant Kumar Mishra)

Judge