

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 182 of 2021**

1. Punendra Jayswal, S/o Shri Dilip Jayswal, Aged About 26 Years, R/o Nagar Panchayat Lawan, Police Outpost-Lawan, P.S. Kasdol, Distt. Balodabajar-Bhatapara Chhattisgarh.
2. Pushpendra Jayswal, S/o Shri Santosh Jayswal, Aged About 20 Years, R/o Nagar Panchayat Lawan, Police Outpost- Lawan, P.S.- Kasdol, Distt- Balodabajar- Bhatapara.
3. Gitesh Tiwari @ Shibbu, S/o Shri Devprasad, Aged About 22 Years, R/o Nagar Panchayat Lawan, Police Outpost-Lawan, P.S. Kasdol, Distt. Balodabajar- Bhatapara Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Outpost-Lawan, Police Station- Kasdol, Distt- Balodabajar- Bhatapara Chhattisgarh.

---- Respondent

For Applicants	: Mr. Sumit Shrivastava, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.06.2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicants who are apprehending their arrest in connection with Crime No. 06/2021 registered at Police Outpost- Lawan, Police Station- Kasdol, District- Balodabajar-Bhatapara, (C.G.) for commission of the offence punishable under Sections 147, 148, 149, 294, 506, 323 and 452 of IPC.
3. Case of the prosecution is that, it has been alleged that present applicants and other co-accused persons entered the liquor shop of the complainant, abuse the complainant and they also assaulted him by hand and fist. Further allegation is that the

applicants have demanded the liquor on credit. Based on this, offence was registered against the present applicants.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that no criminal record has been registered against the applicants, therefore, the present applicants may be granted anticipatory bail.
5. On the other hand, counsel for the State however opposes the application for anticipatory bail by submitting that criminal antecedent has been registered against the applicants, therefore, applicants may not be released on anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release them on anticipatory bail.
7. Accordingly, his anticipatory bail application filed under Section 438 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi