

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 263 of 2021

Uttam Dhidhi S/o Late Shri Banshi Lal Dhidhi, Aged About 44 Years, R/o: Bade Urla, Abhanpur, Police Station- Abhanpur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station -Abhanpur, District- Raipur, Chhattisgarh.

--- Respondents

For Petitioner	: Mr. B. L. Sahu, Advocate.
For Respondent-State	: Mr. Anand Verma, Dy.GA.

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

01/04/2021

Heard.

1. Applicant has filed this bail application under Section 438 of the Cr.P.C. apprehending his arrest in connection with Crime No.58/2021 registered at Police Station -Abhanpur, District- Raipur, Chhattisgarh, for the offence punishable under Sections 186, 294, 323, 332, 353 & 506 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that employees of CG State Electricity Works Department namely Ghanshyam Sahu, Dharmendra Sahu, Gyan Chand Dhruv and Om Prakash Sahu went to restaurant of applicant for recovery of arrears of electric bill or disconnection of electric supply. At that time applicant has used criminal force, forcefully pushed and assaulted Om Prakash Sahu (complainant) due to which complainant suffered grievous injuries over his person. Incident was reported to concerned police station based upon which aforementioned offences was registered against the present applicant.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case, allegation levelled against applicant is false and

frivolous. Incident is of 13.01.2021 and FIR was lodged on 25.01.2021, applicant has not committed any offence as alleged against him, hence, he may be extended benefit under Section 438 of Cr.P.C.

4. On the other hand, learned State Counsel opposes the submissions made by learned counsel for applicant and submits that after lodging of FIR on 25.01.2021 complainant was sent for medical examination on same day. As per MLC report complainant has suffered grievous injuries over his person, Doctor has opined that injuries of complainant is of 10 days back. Applicant has used criminal force pushed the employees of CG State Electricity Works Department and interrupt in their official work, hence, applicant is not entitled for benefit under Section 438 of Cr.P.C.
5. Heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, nature of allegation, statement under Section 161 of Cr.P.C and MLC report of complainant, I am not inclined to enlarge the applicant on anticipatory bail.
7. Accordingly, anticipatory bail application is dismissed.

Sd/-

(Parth Prateem Sahu)
Judge

Jamal/-