

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1320 of 2020**

- Tarun Kumar Yadav S/o Late Laxmi Narayan Yadav, Aged About 27 Years R/o Ward No. 15, Kailash Nagar, Dantewad, Police Station - Dantewada, Civil And Revenue District - South Baster Dantewada, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - The Station House Officer, Police Station - Dantewada, Civil And Revenue District - South Baster Dantewada (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Paras Mani Shriwas, Advocate.
For Respondent/State	:	Ms. Fouzia Mirza, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****07/01/2021**

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.74/2020 registered at Police Station– Dantewada, District- Dantewada, (C.G.) for alleged commission of offence under Sections 186, 353 & 323 of Indian Penal Code and Section 3 of Chhattisgarh Medicare Service Person and Medicare Service Institutions (Prevention of Violence and Damages or loss to Property) Act, 2010.
2. Prosecution case is that the applicant assaulted the doctor on duty in the hospital, in which, doctor sustained injury and in this manner, the applicant obstructed the purpose of public duty.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated. The story that the applicant assaulted the doctor is highly improbable because the applicant himself was brought in injured condition in the hospital because on the same day, an incident had happened in which applicant had been assaulted by other person,

in respect of which, the applicant's colleague has also lodged FIR in the Police Station, therefore, to say that the applicant assaulted the doctor is a false implication.

4. On the other hand, learned counsel for the State opposes and submits that the victim doctor, who was on duty, has clearly involved the applicant that during treatment, the applicant assaulted the doctor and due to assault of the applicant, the doctor sustained injury in his ear and it was bleeding also.
5. Considering the medical report of injury and statement of the doctor, present is not a fit case for grant of anticipatory bail.
6. The anticipatory bail application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Ravi