

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1398 of 2020**

- Ved Prakash Dewangan S/o Shri Visheshwar Dewangan Aged About 30 Years R/o Village Kera, P. S. Nawagarh, District Janjgir Champa Chhattisgarh

---- Applicant**Versus**

- The State Of Chhattisgarh Through The Station House Officer, Police Station Nawagarh, District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate
For State	:	Ms. Samiksha Gupta, Panel Lawyer
For Objector	:	Shri Vipin Tiwari, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****04/03/2021**

1. The applicant is apprehending his arrest in connection with Crime No.248/2020 registered at Police Station – Nawagarh, District – Janjgir-Champa (CG) for alleged commission of offences under Section 294, 506-B, 341, 323, 394/34 of IPC.
2. Prosecution case is that the applicant and other accused intercepted the victim on the road, he was assaulted, threatened, abused and a golden chain was looted.
3. Learned counsel for the applicant would submit that an exaggerated version of dispute between the parties was lodged in the police station to somehow include the non-bailable offence. He never looted the cash or chain of the concerned person and all other offences except Section 394 IPC are bailable in nature. He further submits that the applicant is not a person of criminal antecedent but he is Up-sarpanch in the gram panchayat and because of political rivalry, he has been involved. It is further submitted that the applicant has also lodged report against the complainant but police did not take any action which shows that registration of the case is not fair.
4. On the other hand, learned State counsel and counsel for the objector oppose bail

and submits that the report lodged by the victim is supported not only from his own statement of assault, threat, abuse and loot but also the eye witness and upon MLC, the victim has been found sustained injury.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the contents of the report, existing medical report regarding injury and statement of witness regarding the incident of loot in addition of assault and threat, I am not inclined to grant bail to the applicant. The application is, accordingly, rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge