

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1735 of 2020**

- Rishabh Mitra S/o Shri S.B Mitra Aged About 24 Years R/o A 403, Krishna Vihar, Behind Shiv Mandir, Vidya Nagar, Police Station Tarbahaar, Bilaspur District Bilaspur Chhattisgarh.

----- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Tarbahaar Bilaspur District Bilaspur Chhattisgarh.

----- Respondent

For Applicant	:-	Mr. K. Rohan, Advocate
For Respondent-State	:-	Ms. Akshara Amit, PL
For Objector	:-	Mr. Ajay Kumar Dwivedi, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**25/02/2021**

1. Heard.
2. The applicant has preferred this bail application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.202/2020 registered at Police Station Taarbahaar, District - Bilaspur C.G. for the offence punishable under Sections 294, 323, 324, 326, 506 read with Section 34 of the I.P.C.

3. Applicant along with three other accused persons namely; Shailendra Singh, Mahendra Kumar and Jai Prakash assaulted injured Md. Aslam and Md. Akram by means of iron rod causing fracture of skull bone on the person of Md. Aslam which required 22 stitches during treatment.
4. Learned counsel for the applicant would argue that dispute arose when the applicant who has his own accommodation in the subject locality was entering the premises with his six wheeler cargo vehicle and that was obstructed by the opposite party by bringing a 206 pickup vehicle in front of their vehicle and thus the opposite party have instigated the entire incident. It is also argued that applicant has lodged an FIR against Md. Aslam and others, therefore, the present FIR has been lodged as a counter-blast. It is further argued that charge-sheet having been filed against co-accused persons, applicant's custodial interrogation is not required.
5. Per contra, learned State counsel and learned counsel for the objector would vehemently oppose the prayer for grant of anticipatory bail.
6. Having seen the material available in the case diary and considering the nature of injuries suffered by the injured Md. Aslam, I am not inclined to extend the benefit of anticipatory bail.

7. Accordingly, the anticipatory bail application is dismissed. However, liberty is reserved in favor of the applicant to surrender and apply for regular bail. In such an event, the concerned Court shall consider and decide the bail application expeditiously preferably within three days.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi