

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1790 of 2020

- Shailendra Singh S/o Late Shri Jainath Aged About 43 Years R/o Ramkrishna Nagar, Mopka Police Station Sarkanda, Bilaspur, District Bilaspur Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	: Shri K.Rohan, Advocate
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey
Order On Board by virtual hearing

11/06/2021

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No. 202/2020 registered at Police Station Taarbahaar, district Bilaspur (CG) for the offence punishable under Sections 294,323,324,326 and 506/34 of the IPC.

Case of the prosecution in brief is that report was lodged by the complainant alleging that on the date of incident, at about 11.30 p.m. the applicant had attempted to enter his six wheeler cargo vehicle inside his house and dashed on the gate. On hearing the noise when the complainant came out and saw the co-accused standing there,

when he objected, the applicant started abusing him and his brother and thereafter assaulted with iron rod on his head. It is alleged that when the complainant intervened, he was also assaulted.

Contention of the counsel for the applicant is that the applicant has been falsely implicated in the present case. He submits that even if the entire case of prosecution is taken as it is, prima facie no case is made out against the applicant. He further submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore he may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicant this Court is of the view that it is not a fit case to grant anticipatory bail to the applicant. Accordingly, the application is rejected.

Sd/-

(Rajani Dubey)
Judge