

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.8420 of 2021**

- Pradeep Karsh S/o Shri Sohanlal Karsh Aged About 23 Years
Occupation Labour, R/o Bawlikunwa, Dhangardipa, Raigarh, Police
Station City Kotwali, Tahsil And District Raigarh Chhattisgarh., District :
Raigarh, Chhattisgarh

---- Applicant/Accused (In Jail)**Versus**

- The State Of Chhattisgarh Through The Officer In Charge Of Police
Station City Kotwali, District Raigarh Chhattisgarh., District : Raigarh,
Chhattisgarh

---- Non-applicant/Prosecution

For Applicant :	Shri Roop Naik, Advocate.
For Respondent/State:	Shri Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Sanjay S. Agrawal**Order on Board****16.12.2021**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he has been arrested on 08-09-2021 in connection with Crime No.1266/2021, registered at Police Station City Kotwali, District Raigarh, for the offences punishable under Section 458, 294, 506 and 323 of the IPC.

2. According to the prosecution, on 06-09-2021, the complainant-Sunit Kumar Benerjee has lodged FIR, alleging inter alia that the applicant has come in his house at 12.30 AM in the night and caused injuries not only to him, but also to his wife and son while using filthy language. Based upon the said complaint, the investigation was conducted by the concerned Police/Investigating Agency and submitted its charge sheet before the concerned Magistrate on 20-10-2021.

3. Shri Naik, learned counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated with regard to the

alleged offence as the entire story has in fact exaggerated by the applicant. However, no offence as such has been committed, yet the applicant has been arrested. Further contention of him is that the iron main gate (Maharaja Gate) has been installed by the complainant and therefore, it was not possible to be broken by the applicant alone, which itself shows that the applicant has been falsely implicated with regard to the alleged offence. It is contended further that as the applicant is in jail since 08-09-2021, therefore, he may be enlarged on bail.

4. On the other hand, learned State counsel submits that looking to the statements of the complainant-Suneet Kumar Benerjee, his wife as also of the son, the applicant is not entitled to be enlarged on bail, particularly, when evidence is yet to be recorded.

5. I have heard learned counsel for the parties and perused the entire charge sheet carefully.

6. Having considered the aforesaid contention of learned counsel for the parties, considering further the manner, in which, the alleged offence has been committed, I am not inclined to enlarge the applicant on bail.

7. Accordingly, the bail application (MCRC No.8420 of 2021) is rejected.

SD/-
(Sanjay S. Agrawal)
Judge